

## Notice of meeting of

### Urgency Committee

**To:** Councillors Steve Galloway (Chair), Merrett, Potter, Reid and Waller

**Date:** Tuesday, 20 March 2007

**Time:** 12.15 pm

**Venue:** The Guildhall

### AGENDA

#### 1. **Declarations of Interest**

At this point, members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

#### 2. **Exclusion of Press and Public**

To consider the exclusion of the press and public from the meeting during consideration of the following:

Annexes 4 & 5 to Agenda Item 5 (Management Re-structure of Learning, Culture and Children's Services) on the grounds that they contain information relating to individuals. This information is classed as exempt under paragraph 1 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

#### 3. **Minutes** (Pages 1 - 4)

To approve and sign the minutes of the meeting of the Urgency Committee held on 28 February 2007.

#### **4. Public Participation**

**At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Committee's remit can do so. The deadline for registering is Monday 19 March 2007, at 5.00 pm.**

#### **5. Management Re-structure of Learning, Culture and Children's Services (Pages 5 - 70)**

This report proposes a management re-structure of the Directorate of Learning, Culture and Children's Services and seeks approval for re-grading a number of posts that are subject to significant variations in the job description.

#### **6. Appointments Committee for the Head of Human Resources (Pages 71 - 74)**

This report seeks formal support to proceed with the appointment of a Head of Human Resources and approval for the membership of an Appointments Committee for the post within the Chief Executive's Directorate.

#### **7. Whistleblowing (Pages 75 - 98)**

This report outlines proposed changes to the Council's Whistleblowing Policy, Procedure and Guidelines and seeks approval of these revisions.

#### **8. Any Other Matters which the Chair decides are urgent under the Local Government Act 1972.**

Democracy Officer:

Name: Simon Copley

Contact details:

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- E-mail – [simon.copley@york.gov.uk](mailto:simon.copley@york.gov.uk)

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

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City of York Council

Minutes

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MEETING	URGENCY COMMITTEE
DATE	28 FEBRUARY 2007
PRESENT	COUNCILLORS STEVE GALLOWAY (CHAIR), MACDONALD (AS SUBSTITUTE FOR REID), MERRETT, WALLER AND WILDE (AS SUBSTITUTE FOR POTTER)
APOLOGIES	COUNCILLORS POTTER AND REID

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**21. DECLARATIONS OF INTEREST**

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

No interests were declared.

**22. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That the press and public be excluded from the meeting during consideration of the following:

Exempt minute 16 under Agenda Item 3 (Minutes) (*minute 23 refers*) on the grounds that it contains information relating to an individual. This information is classed as exempt under paragraph 1 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

**23. MINUTES**

RESOLVED: That the minutes of the meeting of the Urgency Committee held on 19 December 2006 be approved and signed by the Chair as a correct record.

**24. PUBLIC PARTICIPATION**

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

**25. LEEDS CITY REGION LEADERS' BOARD**

Members received a report which sought consideration of a recommendation from the Executive that City of York Council enter into an Agreement to establish a Joint Committee to be known as the Leeds City Region Leaders' Board, and appointment of the Leader to represent the Council on the Board and the Deputy Leader as the substitute member.

The matter was being considered by the Urgency Committee as the first meeting of the Board was scheduled for 1 April 2007, ahead of the next Full Council meeting on 12 April 2007.

The report presented the following options for consideration:

- Option a) – To approve the recommendation to participate in the Board and appoint a representative;
- Option b) – To defer the decision until the next Full Council meeting;
- Option c) – To not approve the recommendation to participate in the Board and not appoint a representative.

Members discussed issues regarding accountability arrangements for the Board. Councillor Merrett sought assurances that meetings would be held in public, subject to the usual local government rules relating to confidential information, that the agenda and minutes would be made publicly available, and that the minutes would be made available to Full Council.

**RESOLVED:** That the recommendation to participate in the Board be approved and the Leader be appointed as the Council's representative, with the Deputy Leader as the substitute.

**REASON:** To enable the Council to play an active part in the development of the City Region agenda and to attend and participate in the first meeting of the Board on 1 April 2007.

**26. SCIENCE CITY YORK LIMITED: MEMBERSHIP OF COMPANY AND NOMINATION OF REPRESENTATIVE**

Members received a report which sought agreement to the City of York Council becoming a member of Science City York Limited and appointment of a Council representative to the company.

The matter was being considered by the Urgency Committee as the company needed to be in a position to appoint a chief executive after interviews on 6 March 2007, before the next Full Council meeting on 12 April 2007.

The Director of City Strategy recommended the Chief Executive be appointed as the Council's representative to the company.

Councillor Merrett expressed the view that there should be representatives from both the main parties on the company and that, until this was possible, the Economic Development Partnership Board should receive reports from the company to ensure accountability to the Council, and also highlighted the need for public accountability.

**RESOLVED:** (i) That City of York Council membership of Science City York Limited, a Company Limited by Guarantee, be approved;

- (ii) That the Chief Executive be appointed as the Council's representative on the company.

REASON: To enable the company to be established in order to employ the chief executive.

**27. SUB-REGIONAL APPROACH TO STRATEGIC HOUSING**

Members received a report which advised on recent developments designed to enhance joint working on strategic housing issues across the sub-region and sought approval of City of York Council participation in the proposed sub-regional partnership and governance framework and for the Executive Member for Housing to represent the Council on the partnership.

The matter was being considered by the Urgency Committee as the first meeting of the proposed Sub-regional Strategic Housing Board was scheduled to be held before the next Full Council meeting on 12 April 2007.

The report presented two options for consideration:

- Option 1 – To sign up to a sub-regional partnership for strategic housing;
- Option 2 – To maintain the status quo.

Councillor Merrett expressed reservations that making links on traditional local authority boundaries had no logic in terms of housing demand and that links were needed instead with housing demand areas allied to York, such as the "golden triangle" (between York, Leeds and Harrogate). He also expressed the view that partner organisations, such as Registered Social Landlords (RSL's) should be included in the governance arrangements as well as local authorities.

- RESOLVED:
- (i) That option 1, to participate in a sub-regional partnership for strategic housing, be agreed and the Executive Member for Housing be appointed as the Council's representative on the partnership;
- (ii) That the Executive Member for Housing, in consultation with the Director of Housing & Adult Social Services, be authorised to represent and take decisions relating to sub-regional housing issues at the partnership meetings on behalf of City of York Council.

REASON: To develop a governance framework through which sub-regional housing issues can be agreed and investment bids can be signed off, to better place North Yorkshire when competing for funding on a regional basis, to raise the profile of York within the sub-region and the sub-region as a whole, and to improve the sharing of best practice.

COUNCILLOR S F GALLOWAY

Chair

The meeting started at 12.15 pm and finished at 12.40 pm.





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## Meeting of Urgency Committee

20 March 2007

Report of the Director of Learning, Culture and Children's Services

### **Management Re-structure of *Learning, Culture and Children's Services***

#### **Summary**

1. This report proposes a management re-structure of the Directorate of Learning, Culture and Children's Services and seeks approval for re-grading a number of posts that are subject to significant variations in the job description.

#### **Background**

2. When the Directorate of *Learning, Culture and Children's Services* was established in 2005, the responsibilities carried by the Assistant Directors remained largely unchanged. The Management Information Service (MIS) transferred to 'Resource Management', and a Training and Development Unit was established within 'School Improvement and Staff Development'. Frontline services stayed where they had always been, whilst attention was focused on reorganising the support services, such as Finance and HR, and on raising awareness of the implications of 'Every Child Matters'.
3. This approach was right for the time. It provided stability during a period of change and ensured that there was no decline in service quality. Over the two years that have elapsed since then, however, it has become increasingly clear that there is a need to review the way in which the directorate is organised. There are a number of reasons for this:
  - Provision for children with learning difficulties and disabilities (LDD) is currently split across two service arms. A recent government policy document makes clear that the provision of education and the provision of care for this most vulnerable group of children and young people should be more closely co-ordinated so that there is 'closer alignment of the work of these services at individual pupil level'.
  - The DfES takes a similar view of the services provided for schools to help them make provision for children and young people with learning difficulties and disabilities (LDD), arguing that there should be 'close alignment of the work of SEN/inclusion services at classroom and school level with LEA curriculum and school improvement services'. This is also the message of the National Strategies. In York, these services are currently managed by two different Assistant Directors.

- The decision in the Education and Inspections Act (2006) to dispense with School Organisation Committees and to enhance the powers and responsibilities of Local Admissions Forums, provides a strong incentive to bring school admissions and school organisation together under one Assistant Director and end any overlap between the two.
  - It is difficult to match the rapid pace of change in national policy on Childcare provision, Children's Centres, extended schools and the Youth Offer whilst these related services are spread across three service arms as they currently are in York.
4. The departure of Murray Rose to Darlington, and the impending retirement of Patrick Scott and Jenny Vickers provides the opportunity to rethink the organisation of the directorate and tackle some of these pressing issues. Mary Cousins, the manager of the Children's Trust Unit is also leaving, and this opens up further possibilities.

### **Principles.**

5. The proposed reorganisation of the directorate is based on some key principles:
- The management structure for the directorate should support an unwavering focus on improving outcomes for all children and young people;
  - All services are equally committed to the vision statement for Children's Services which focuses on raising standards, safeguarding, inclusion, early intervention, and partnership working. None of these principles are the exclusive preserve of any particular service arm;
  - The commitment to improving outcomes for children and young people is matched by a similar commitment to improving the quality of life for adults, whether they be residents of York or visitors to the city;
  - In order to provide high quality outcomes for children and young people, the directorate will continue to be a direct provider of services, but will develop expertise and experience in commissioning where there is a clear advantage in doing so;
  - School Improvement and Safeguarding are the two main statutory responsibilities within children's services, and both need to be lead by senior officers with an appropriate professional background.

### **A new structure.**

6. The proposed structure is based on 5 service arms, each led by an Assistant Director and each providing a way of grouping together services that benefit from sharing the same line management arrangements:
- *School Improvement and Staff Development* will deal with the provision of professional support for schools and other services, and be directly responsible for children and young people educated other than at school;
  - *Children and Families* will be responsible for meeting the needs of individual children and young people, particularly those most in need, and will take an overall lead in ensuring appropriate provision for disabled children and young people;

- *Resource Management* will be responsible for maintaining the full range of support services for the rest of the department, including schools, and ensuring fair access according to need;
  - *Lifelong Learning and Culture* groups together services that have as the main focus for their work, improvements in the quality of life for all the residents of the city, by providing a full range of adult learning, cultural and sporting opportunities;
  - *Partnership working and Early Intervention* will undertake some of the current responsibilities of the Manager of the Children's Trust and will co-ordinate voluntary and out of school provision for children and young people. The service arm will carry responsibility for developing and implementing the Children and Young People's Plan and the preventative strategy, and be the first point of contact with key partners including the PCT.
7. The current structure is shown in an organisation chart at Annex 1. the proposed new structure is shown at Annex 2. A brief account of the changes that will be taking place is provided below.

***School Improvement and Staff Development.***

8. The core business for this service remains schools and support for schools, though the decision to retain the Training and Development Unit within the service arm signals up a wider responsibility for workforce development and support for all services making provision for children and young people.
9. In order to acknowledge the increased span of responsibility for the Assistant Director, the post of Principal Adviser will be created from within the existing establishment to take operational responsibility within the Education Development Service. In addition the proposed structure sees the following changes:
- EDS to assume responsibility for all curriculum support for pupils with special educational needs, under the overall management of the Adviser for SEN, including the transfer of the Learning and Curriculum team from the Inclusion Support Service.
  - Behaviour support services to be reorganised to create a clearer distinction between services designed to maintain pupils in mainstream education (outreach support and the Bridge Centre), and provision for pupils who have been excluded from mainstream education or need work related learning (The PRU and the Bridge Centre).
  - The refashioned Behaviour Support Service (outreach support and the Bridge Centre) to take responsibility for Y6 pupils on the roll of the Westfield EBD unit and for Home and Hospital tuition where it is required for pupils excluded from school.
  - The PRU to take responsibility for all pupils educated other than at school who are not placed with other DfES approved providers.
  - The Ethnic Minority Support Services to be transferred directly from Access and Inclusion in their current form.

***Children and Families.***

10. The core business for this service arm remains the authority's responsibility for safeguarding children and young people. The decision to widen the span of responsibility to include services previously located within the former department of Education and Leisure is designed to support much closer working between services responsible for assessing and meeting the needs of the most vulnerable, including disabled children and young people.
11. The proposed structure sees the following changes:
  - The Assistant Director (Children and Families) to assume responsibility for the Educational Welfare Service,
  - SEN services to move to Children and Families (Educational Psychologists, SEN Admin, and the four specific disability support teams),
  - The Physical Disability and Medical team to take responsibility for Home and Hospital tuition where it is required for pupils not in school by virtue of their medical condition,
  - The newly created post of Head of Integrated Services to be established within Children and Families with a brief to establish improved multi-agency working between the existing disability services.

***Resource Management.***

12. The core business for this service arm remains the provision of support services across the Directorate, including traded services for schools. However, the decision to include the Access Team within Resource Management emphasises the role of the AD (Resource Management) in determining strategic priorities and ensuring that the resources are available to meet them, as it will bring together in one service arm responsibility for the provision of school places with responsibility for the placement of pupils in schools (admissions and exclusions).
13. The proposed structure sees the following changes:
  - The Access Team to move to Resource Management from Access and Inclusion and the Principal Education Officer to become Head of Access, assuming responsibility for maintaining the Education Otherwise Register and providing appropriate placements for all pupils of compulsory school age,
  - A new Extended Schools Unit to be established within LCCS finance,
  - ICT support for Children and Families to transfer from Housing and Adult Services (HASS) to Resource Management.

***Lifelong Learning and Culture.***

14. The core business for this service arm continues to be the provision of cultural services for all the residents of and visitors to the city. Although this includes children and young people, they are only one group of customers amongst many, and for this reason, the work of Lifelong Learning and Culture is significantly different from the other service arms.
15. The proposed structure sees the following changes:

- Early Years and Extended Schools to transfer to the new AD (Partnerships and Early Intervention)

***Partnerships and Early Intervention.***

16. Although this will be an entirely new service arm, it will build on the work of the Children's Trust, by maintaining and developing the capacity for early intervention in the lives of children and young people. The service will concentrate particularly on children and young people at Tier 2, in other words, those that are most at risk of slipping into the kind of crisis that requires expensive remedial services. The authority is committed to the view that services of this kind can only be provided in partnership and that these partnerships must be inclusive, involving the public, private, voluntary and community sectors. The key to success lies in making sure that provision is targeted, co-ordinated and sustained, and that services engage with known and named children and young people. The links between services will enable a common approach for all children and young people between the ages of 0 – 19, and bring into one service arm the co-ordination of childcare, leisure and cultural services for children and young people.
17. The proposed structure sees the following changes:
  - Early Years and Extended Schools to move from *Lifelong Learning and Culture*,
  - The Youth Service to move from *Access and Inclusion*,
  - Responsibility for the Children's Trust and Children's Centres to move from *Children and Families*,
  - The creation of a post with specific responsibility for the co-ordination of locality working and management of the planning and commissioning unit,
  - Connexions to be commissioned through the Children's Trust (YorOK) with the funding being channelled through the local authority.

**Consultation**

18. Following a meeting with the Executive Member, a consultation document on proposed changes in the senior management structure for Learning, Culture and Children's Services, was launched on the 5 February with a deadline for responses of 19 February.
19. 14 individual responses were received, though a number of these were either implicitly or explicitly submitted on behalf of others. In addition, meetings were held for Service and Group Managers (about 20 in attendance), all staff (about 50 in attendance) and the Joint Consultative Group (JCG) which represents headteachers and other stakeholders. The consultation paper was also discussed with staff side representatives at a meeting of the Joint Consultative Committee and UNISON has submitted a separate response.

**Responses to proposals**

20. The great majority of staff attending meetings or making individual responses were from the services most directly affected by the changes that are being

proposed (Access and Inclusion) and comment has almost exclusively been about the way in which the new structure will work, rather than whether it is desirable.

21. It was almost universally accepted, even by those services and service managers that are most likely to experience some disruption as a consequence, that the proposed structure represents a better way of managing the delivery of children's services. Responses ranged from the genuinely enthusiastic to rather more guarded and non committal expressions of support, with concerns being expressed for the position of those individual members of staff who might be most affected by the changes. One response expressed significant concerns about locating teaching staff within Children and Families, and argued that all school related services should be consolidated within the same service arm.

### **Key issues arising**

22. The single issue that was raised most consistently by almost everybody who responded was that no structure could substitute for the need to work across service arms to promote cultural change. There was some concern expressed lest individual Assistant Directors should be thought to carry exclusive responsibility for school improvement, partnership working, early intervention or safeguarding. These are viewed as shared responsibilities with the need for clear procedures to be established for service and group managers across the directorate to work closely with each other. This point was made particularly about:
  - The need for EWOs to be actively engaged in School Improvement, working as part of the Behaviour and Attendance strand in the National Strategies (even though it is proposed that the service is placed with Children and Families),
  - The involvement of the Educational Psychology service and the school support teams for specific disabilities to be directly involved with schools and not just individual casework (even though it is proposed that the services are placed with Children and Families),
  - The need for clear referral routes to be established for hard to place pupils in order to ensure close working between the PRUs, SEN services and the new Young People's Service (even though the services will be located in three different service arms),
  - The role of the Behaviour Support Service in building the capacity of schools to manage the reintegration of pupils with challenging behaviour,
  - The need for clear links with the health service for the school support teams for specific disabilities, even though the AD (Partnerships and Early Intervention) is described as the first point of contact with the Health Service,
  - The need for LA links with the 14 – 19 strategy to be reflected in the work of the proposed AD (Partnerships and Early Intervention),
  - The extent to which the partnership working is shared across the department according to specific areas of responsibility (even though one AD has specific responsibility for partnership working).

23. Most respondents felt that the need for cross directorate working would be a priority whatever the management structure that is adopted for the directorate. Specific questions were raised, however, about the location of some specialist services within the structure:
- The proposed structure locates the Youth Offending Team within Children and Families because there is a significant overlap with the caseload of the social work teams. There is a case for placing it alongside the new Integrated Youth Service in Partnerships and Early Intervention because of the extent to which it works in partnership with Connexions on the preventative strategy,
  - In the new structure, it is proposed that the EWO service is located within Children and Families because school attendance is closely linked with issues of child protection. There is a case for the service being more closely linked with the Behaviour Support Service in School Improvement,
  - Potentially the most controversial aspect of the proposed structure is the proposal to split the existing Inclusion Support team between School Improvement and Children and Families. Whilst this is generally accepted, a number of particular concerns have been expressed. Decisions will be required about the line management of the specialist disability teams and about the position of the ASC (Autism Spectrum Condition) service which can be viewed either as a high incidence service (in which case it would be more appropriately placed in School Improvement) or a low incidence service (in which case it would be more appropriately placed in Children and Families),
  - The location of the Play Team within Early Years and Extended Schools is generally felt to make sense but there is a concern lest the links with Lifelong Learning and Culture are lost in the new structure,
  - It is generally accepted that the Home and Hospital service should be unified under one manager, but there is no agreement about whether this should be located within the Behaviour Support Service or the PD/M team,
  - The Joint Training Unit is currently located within School Improvement and Staff Development. It has been suggested that this should be a cross directorate resource located within Resource Management.
24. A number of proposals were made about how these particular issues of cross directorate working might be addressed:
- The role of the Lead Professional in casework is seen as vital,
  - It was suggested that the work of the Behaviour Support team might be re-focused to develop the role of the lead practitioner in co-ordinating education programmes for the most difficult to reach pupils,
  - The tasking meeting is seen as an essential safety net for the authority in monitoring and tracking individual targeted young people.
25. Two other concerns were raised which might best be addressed by adjusting the Job Descriptions for the new AD posts to make clear where responsibility lies within the Local Authority:
- Two responses enquired about responsibility for sustainability within the directorate

- One response commented that ‘it would be very unfortunate if the role of adult learning opportunities across the city were to be seen as subordinate to delivering cultural services and sport and leisure facilities/activities’.

**Staff side representatives.**

26. UNISON have responded as follows:
- We are concerned there may be a significant likelihood of a double restructure, as it is probable that any new Director would wish to review the directorate fairly soon after an appointment is made. This will create further uncertainty for staff and could damage morale.
  - There is an acknowledgement that the current structure may not have all services in the right place
  - Services should be kept intact and moved in their entirety so that staff uncertainty is kept to a minimum. The Management of Change guidelines necessarily mean extensive work by HR and causes stress to the staff involved when posts are deleted, created or changed within a structure.
  - The Job Evaluation process does not appear to have been taken into account by this proposal. It is already behind schedule, and the more changes there are increases the timescale.

**Response to the consultation**

27. The following alterations and amendments are proposed to the structure outlined in the consultation paper:
- The EWO service to move to Children and Families as planned, but to act as a bridging service between the two service arms and the AD (School Improvement) to establish a way of ensuring that there is consistency in implementation of the National Strategies;
  - SEN services, including the Educational Psychology Service to move to Children and Families as planned but to retain a clear link with schools and contribute towards school improvement;
  - Referral routes to be mapped for hard to place pupils and protocols to be agreed;
  - Referral routes to be mapped for children in need and protocols to be agreed;
  - The Behaviour Support service and the Pupil Support Service to develop a model for reintegration plans for pupils who have been permanently excluded from mainstream education which include a clear role for the BSS in reintegration support as well as prevention;
  - The YOT to remain with Children and Families as planned but this decision to be reviewed should there be concerns about any difficulties of working collaboratively with the new Young People’s Service;
  - The Autism Spectrum Condition (ASC) service to move to Children and Families as planned, but a member of the Learning Support team in School Improvement to take a responsibility for ASC in mainstream schools and to ensure close working with the ASC service;
  - Home and Hospital support to be provided by the Behaviour Support Service for pupils who have been excluded from school and by the



Physical Disability/Medical team for children not in school by virtue of their medical condition,

- The Job Descriptions of the AD's to be revised to reflect responsibility for links with the Health service, for sustainability, for the 14 – 19 strategy and for Adult Learning.

## Options

28. Members have four options:
- Option 1: To retain the current structure on a temporary basis until the appointment of a new Director of Children's Services.
  - Option 2: To adopt the proposed structure as shown in Annex 1.
  - Option 3: To modify the proposed structure.
  - Option 4: To request officers to develop an alternative structure based on different principles from those outlined in paragraph 5 above.

## Analysis

29. *Option 1* would provide continuity for the organisation in the short term and would leave open an opportunity for the new director to shape the management structure and make new appointments. However, it does have a number of drawbacks, the most significant of which are:
- The loss of an opportunity to make necessary structural change,
  - A prolonged period of organisational uncertainty until the intentions of the new director become clear,
  - The difficulties of having an interim manager in a key post during the period immediately prior to the Joint Area Review (JAR),
  - The high cost of employing interim managers for an extended period of time.
30. *Option 2* would establish a structure that is fit for purpose, and would put the directorate in a better position to meet the savings target that is included in the budget for 07/08. However, it would require a significant number of changes to the establishment, including the loss of four posts, only two of which are currently vacant.
31. It is proposed that the following four posts are deleted from the structure:
- Assistant Director (Access and Inclusion)
  - Manager (Children's Trust)
  - Head of Inclusion
  - Head of Inclusion Support Service
32. The table below shows how the work currently undertaken by these staff would be re-distributed amongst existing and new post holders.

<b>School Improvement and Staff Development</b>	
Principal Adviser	A post created from within the existing establishment of the Educational Development Service (EDS) in order to provide additional management capacity to compensate for the increase in the range of responsibilities carried by the AD (School Improvement and Staff Development).
Head of the Bridge Centre	The re-grading of an existing post in order to reflect the increased responsibility for the Outreach service providing behaviour support and the Home and Hospital tuition provided for pupils educated other than at school.
The Deputy Head (PRU)	The re-grading of an existing post in order to reflect the new responsibility for placement of all children and young people educated other than at school.
Higher Level Teaching Assistant (PRU)	A new appointment to cover the responsibility currently carried by the Head of Inclusion for the placement all pupils not in mainstream education.
Curriculum manager (PRU)	A post created from within the existing establishment of the PRU to take responsibility for curriculum development to provide full time education for all pupils educated other than school.
<b>Children and Families</b>	
Co-ordinator (disability support)	A post created from within the existing establishment of the disability support services to co-ordinate the work of the specialist disability teams and provide line management.
<b>Resource Management</b>	
Head of Access	The re-grading of an existing post to take responsibility for all children and young people on the EO register.
<b>Partnerships and Early Intervention</b>	
AD (Partnerships and Early Intervention)	A new post to take responsibility for functions previously shared between the AD (Access and Inclusion) and the Manager of the Children's Trust Unit
Manager (Children's Trust Unit and Localities)	A new post to take responsibility for line management of the Commissioning Unit and the co-ordination of work in localities to ensure that services are delivered in communities.

33. *Option 3* offers the opportunity for members to make specific proposals about the structure of the department. Members should be mindful that changes in one part of the Directorate are likely to have an impact across other services and service arms, and that the structure needs to be understood as a whole, not as a collection of discrete units.
34. If selected, *Option 4* would require a clear steer from members about changes to the principles that should inform the management structure. A major change of direction now would have a number of disadvantages, the most significant of which are:
- The loss of time and the difficulties that this would create for the recruitment to the vacant Chief Officer posts,
  - Damage to staff morale by creating further uncertainty during a period of change,
  - A lack of continuity in maintaining clear lines of accountability following the departure of a number of senior officers in the directorate.

## Corporate Priorities

35. The restructure proposed in this report is designed particularly to improve the organisational effectiveness of the city council and the Directorate of Learning, Culture and Children's Services. It addresses the following specific priorities:
- Improve our focus on the needs of customers and residents in designing and providing services
  - Improve leadership at all levels to provide clear, consistent direction to the organisation
  - Improve the way the council and its partners work together to deliver better services for the people who live in York
  - Improve efficiency and reduce waste to free-up more resources

## Implications

**Financial** (Contact – Head of Finance for LCCS).

36. Annex 4, which remains confidential, sets out the detailed financial implications of the new structure proposed in Option 2. The table below summarises this information.

	2007/08 £	2008/09 £	Max Cost £
Posts Deleted	(198,570)	(245,630)	(245,630)
New Posts Created	109,430	150,050	158,910
Existing Posts Amended	26,440	36,360	56,520
<b>Saving From Staffing Changes</b>	<b>(62,700)</b>	<b>(59,220)</b>	<b>(30,200)</b>
Less Estimated Recruitment Costs	23,000		
<b>Net Saving to LCCS Budgets</b>	<b>(39,700)</b>	<b>(59,220)</b>	<b>(30,200)</b>

37. The table above shows that in 2007/08 the net saving against LCCS budgets of the proposed staffing structure and arrangements set out in Option 2 is estimated at £40k (rising to £59k in 2008/09). This will contribute towards the £90k management saving that the directorate is required to deliver in 2007/08.
38. It should also be noted that the maximum cost of the new structure (if all staff have reached the top of their respective grades) only generates a saving of £30k when compared to the maximum cost of the existing structure. Although it would be unusual for this situation to arise in practice, if it did further savings may be required to maintain costs within budget.
39. As Options 3 and 4 would be subject to further unknown changes in the proposed staffing structure costings are not available. For Option 1 no budget saving would be generated in 2007/08 against the directorate's £90k target. In fact Option 1 is likely to result in significant unbudgeted additional costs whilst employing interim managers for an extended period of time.

40. Option 2 involves the loss of four posts, two of which are filled, which means that there are redundancy costs associated with its implementation. The Council holds a corporate budget to pay costs which arise under the Council's redundancy and early retirement policies. The costs of approved restructures are met from this corporate budget.
41. A full report from the Pensions Officer is included at Annex 5 (Confidential) but in summary there would be one-off costs of £93k in 2007/08 followed by an on-going liability of £3k per year. This can be contained within the corporate budget in 2007/08 but would reduce the uncommitted balance available to £437k.

**Human Resources (HR) (Contact – Head of HR for LCCS)**

42. In relation to the new or revised posts that have been created by this restructure, the proposed grades have been benchmarked or evaluated by reference to the appropriate procedures for the relevant pay and conditions.
43. The new Chief Officer post of *AD (Partnerships and Early Intervention)* has been evaluated under the Council's scheme for these posts. Contingency funding has been included in the budget in order to make provision for the remaining posts to be regraded as appropriate.
44. The two posts to be paid on APT&C grades (*Head of Access and Head of Children's Trust Unit and Locality Planning*) have been benchmarked against other posts from within the Council and Directorate which have comparable duties and responsibilities. This is current practice pending implementation of the Council's revised pay and grading arrangements. The benchmarking exercise supports the proposed grades set out in this report. Both of these posts will be subject to Job Evaluation process in due course.
45. The post of *Principal Adviser* will be paid on Soulbury Pay and Conditions and has been evaluated with regard to the national terms and conditions which govern payments to Advisory staff. Some informal benchmarking against other Local Authorities has also been carried out which confirms that the proposed grade Soulbury 20 – 23) is appropriate.
46. The remaining posts in the new structure are subject to Teachers' Pay and Conditions. It is proposed that a TLR post (level 2a) is included within the management structure for a *Curriculum Manager* at the Pupil Referral Unit. For the remaining posts, all of which are graded on the leadership spine, it is proposed that a full review of rewards and responsibilities is carried out in line with the requirements of the School Teachers Pay and Conditions Document. This group of staff includes the *Head of the Behaviour Support Service*, the *Assistant Head of the PRU*, and the *Co-ordinator (Disability Support)*. As a contingency, sufficient funding has been included in the budget (Para 33) to cover the cost of an additional increment to reward increased responsibilities.

47. The restructure will be managed in line with the Councils 'Change Management' HR policy, including arrangements for the management of redundancies.

**Equalities**

48. There are no implications

**Legal**

49. There are no implications

**Crime and Disorder**

50. There are no implications

**Information Technology (IT)**

51. There are no implications

**Property**

52. There are no implications

**Other**

53. There are no implications

**Risk Management**

54. The risks associated with the decision to restructure the directorate at this time are outlined in the analysis of the options available to members.

**Recommendations**

55. The Urgency Committee is recommended to approve Option 2.

Reason: In order to provide a new management structure for *Learning, Culture and Children's Services*.

**Contact Details**

**Author:**

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Learning, Culture and Children's  
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01904 554200

**Chief Officer Responsible for the report:**

Patrick Scott  
Director of Learning, Culture and Children's Services

**Report Approved**  **Date** 3 March

**Specialist Implications Officer(s)**

Financial  
Richard Hartle  
Head of Finance (LCCS)  
Tel No: 4225

Human Resources  
Mark Bennett  
Senior Business Partner (HR)  
Tel No: 4233

**Wards Affected:** *List wards or tick box to indicate all*

**All**  **Yes**

**For further information please contact the author of the report**

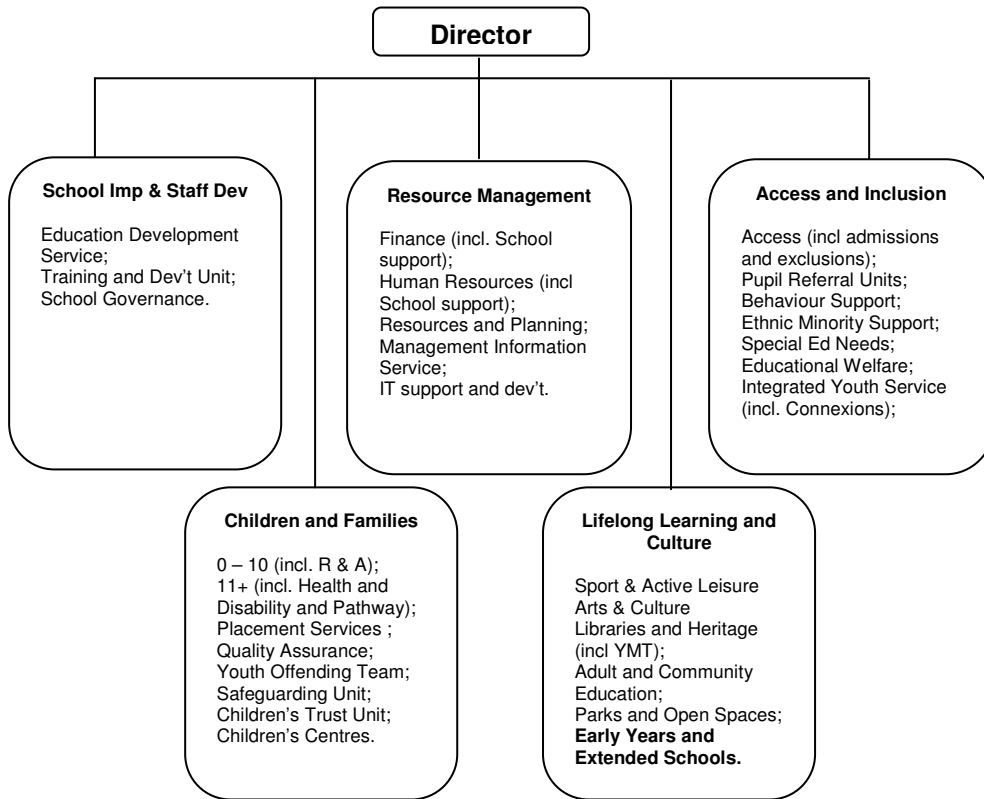
**Background Papers:**

None

**Annexes**

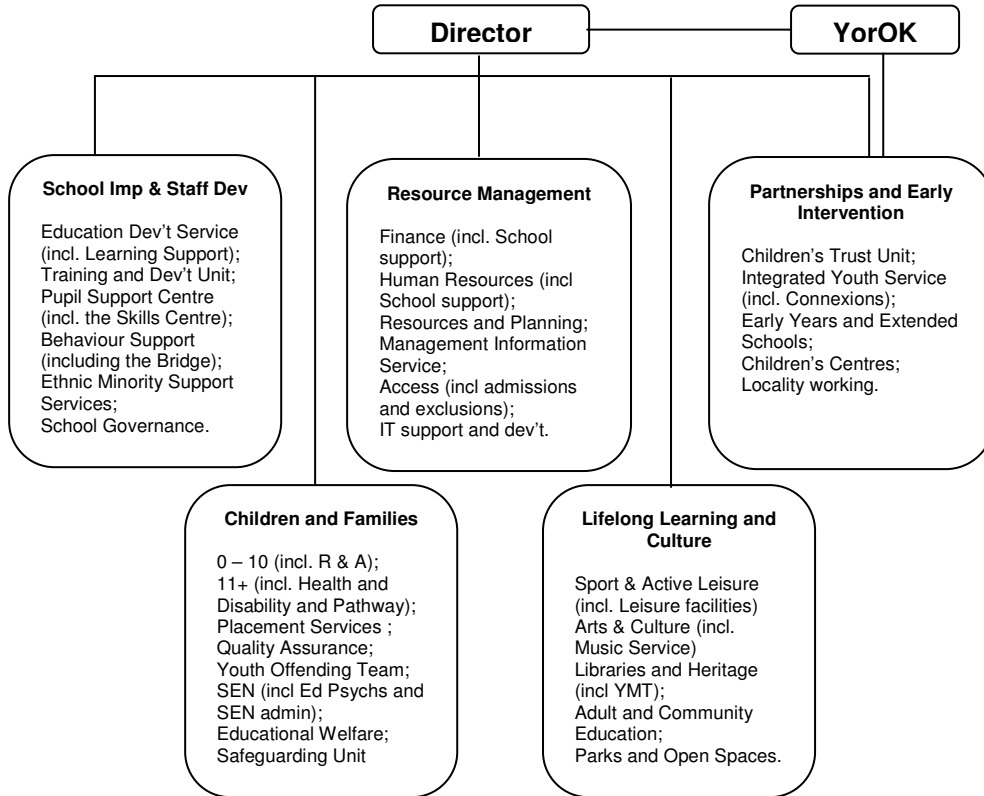
- Annex 1: Current organisational structure for LCCS
- Annex 2: Proposed structure for LCCS
- Annex 3: Job Description for new and significantly altered posts.
- Annex 4: (Confidential) Financial Implications: detailed analysis
- Annex 5: (Confidential) Report of the Pensions Officer

**Current Structure for Learning, Culture and Children’s Services**



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## **Assistant Director (Resource Management)**

### **1. Purpose of the job**

- 1.1. To be responsible for the operational and strategic management of the services located within 'Resource Management'. These include: Financial Services (Schools and Directorate), Access (School Admissions, Exclusions, Transport), Management Information Service, Human Resources, Health and Safety, Information Technology, Planning and Resources (capital programme delivery, school organisation, business support) – (section 4).
- 1.2. To be responsible for the strategic management and deployment of resources to support the services provided from *Learning, Culture and Children's Services*.
- 1.3. To ensure that all children and young people receive an appropriate education in a mainstream school or otherwise, and that the number of places that are available is appropriate to meet the needs and wishes of children, young people and their families.

### **2. Main responsibilities**

- 2.1. To ensure the financial management of the Directorate's revenue and capital budget and the Individual Schools Budget (ISB) – total income and expenditure budgets of £120M.
- 2.2. To provide professional and technical advice to the statutory Schools' Forum, a body that deals with all issues of finance, formula funding and major contracts.
- 2.3. To secure external capital funding for major schemes (eg PFI, Targeted Capital Fund, Pathfinder bids).
- 2.4. To deliver the Directorate's capital programme (£50M+) of investment in children's centres, extended schools and 3 new secondary schools.
- 2.5. To provide professional and technical advice to the statutory Local Admissions Forum regarding legislative change arising from the Education and Inspections Act 2006, parental preferences and demographic change across the city.
- 2.6. To manage the statutory processes, including public consultation, arising from proposals for school closures, mergers and federations.
- 2.7. To maintain and support relationships with key stakeholders: attending termly meetings with all Headteachers and Chairs of Governing Bodies.
- 2.8. To represent the Directorate and manage meetings with the Teachers' Panel and Unison.
- 2.9. To ensure that the full range of support services required by schools is available and meets appropriate standards (both traded services and centrally provided).
- 2.10. To ensure schools are provided with comprehensive pupil performance data and that all statutory returns are made to the DfES.
- 2.11. To act as the client officer for major contracts entered into by the department, including the Broadband contract, PFI (30 year contract with Sewell Education) and SLAs with other departments.
- 2.12. To act as the lead officer in the Directorate for Emergency Planning and responses to emergency incidents.
- 2.13. To ensure an appropriate response by the directorate and schools to issues regarding health and safety, business continuity, risk management and sustainability.
- 2.14. To be the first point of contact with corporate support services.

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- 2.15. To represent the Directorate on key corporate Project Boards such as Pay and Grading, Administrative Accommodation, FMS Replacement, and IT Strategy.
- 2.16. To be responsible for the performance management of the services specified in Section 4 (Organisation).
- 2.17. To fulfil Chief Officers' responsibilities under HR procedures, including decision making regarding the employment of staff in Resource Management.
- 2.18. To set management objectives and targets within Resource Management and to allocate, manage and monitor resources to deliver agreed policies on time and to budget.
- 2.19. To be a member of the Departmental Management Team for *Learning, Culture and Children's Services*.

**3. Knowledge, Skills and Experience**

*Essential Knowledge and Experience*

- A successful track record of achievement at a senior level in a local government or similar context;
- Demonstrable, comprehensive technical knowledge and understanding of a broad range of functional areas including public finance and accountancy, business planning, capital project management, ICT strategy, HR issues, School Organisation, and Management Information;
- A degree level qualification and/or professional managerial qualification (such as CIPFA or equivalent);
- Experience of managing change and large scale complex multi disciplinary projects;
- Significant experience of successfully motivating, managing, persuading and leading staff;
- Demonstrable success in developing effective collaborative working with a range of stakeholders (including schools and government agencies) to achieve objectives;
- Evidence of successfully developing and delivering strategy to meet business objectives and achieve planned results;
- Evidence of significantly improving service delivery;
- Evidence of successfully managing large, technically complex budgets;
- Experience of negotiating significant contracts, commissioning services and monitoring provision.

*Skills*

- Highly effective leadership and motivational skills that develop and inspire others, promote high standards and collaborative working amongst internal and external stakeholders;
- Outstanding interpersonal, negotiating and commissioning skills;
- Excellent verbal and written communication skills that are persuasive, informative and effectively engage the interests of a wide range of audiences;
- IT skills and the ability to fully exploit access to modern computer technology;
- Highly developed skills in numeracy and budget management;
- Well developed strategic and operational management skills;
- Corporate and service planning skills that ensure effective resource management, service delivery, best value and continuous improvement;
- Analytical skills that contribute effectively to the identification of development and trends, prioritisation and problem solving.

Annex 3

*Competences*

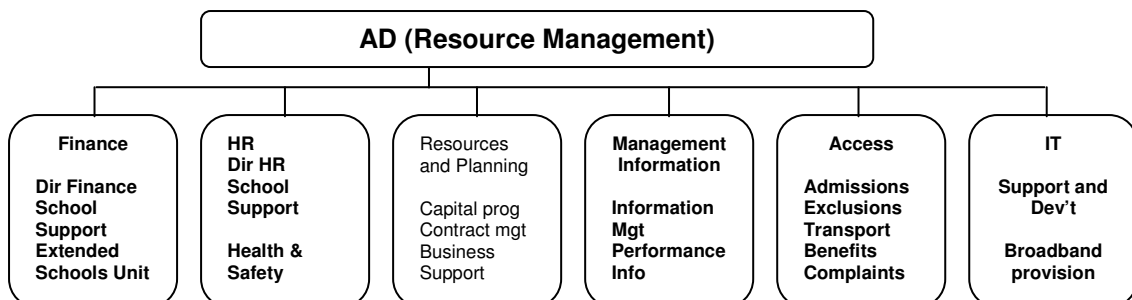
- Knowledge and significant understanding of the legislative frameworks and key issues relevant to the provision of services by local government;
- The ability to think and act strategically at corporate and service levels, be creative and seek innovative solutions to problems;
- The ability to contribute directly and effectively to the successful management of change;
- The ability to analyse complex issues and rapidly present imaginative and practical solutions;
- The ability to recognise and respond to the needs of pupils, parents, customers and citizens, anticipate developments, plan ahead and exploit changes;
- The ability to establish and maintain purposeful commissioning, monitoring, review and evaluation processes;
- The ability to manage own time effectively, working under pressure to tight deadlines and taking responsibility for own professional judgement;
- The ability to chair high level meetings of senior staff on topics of a complex multi-agency nature;
- The ability to contribute effectively to the corporate development of the council, working collaboratively and across departmental boundaries;
- The ability to develop and maintain positive relationships with a diverse range of stakeholders, schools (headteachers and governors), diocesan authorities, DfES regional officers;
- The ability to secure productive working relationships with elected Members.

*Attitude and Behaviour*

- Excellent inter-personal skills;
- A customer focused approach to service delivery;
- An open-minded approach to new opportunities and challenges;
- Commitment to seeking ways to continually improve service delivery and standards;
- Commitment to openness with stakeholders, securing equality of opportunity, tackling institutional and personal prejudices and promoting a positive and unprejudiced attitude towards all sections of the community;
- Awareness of how to achieve good industrial relations and evidence of experience in effective negotiations with staff and their representatives;
- Political awareness and sensitivity to the needs of elected Members and the local democratic process.

**4. Organisation**

The Assistant Director (Resource Management) will be responsible for managing all of the services identified in the organisation chart below:



## Annex 3

This represents a number of changes in the span of responsibility of the Assistant Director (Resource Management) with effect from 1 March 2007. These are as follows:

- A new Extended Schools Unit to be established within LCCS finance;
- The Access Team to move to Resource Management from Access and Inclusion;
- The Principal Education Officer to become Head of Access, assuming responsibility for maintaining the Education Otherwise Register and providing appropriate placements for all pupils of compulsory school age and acting as lead commissioner for School Transport;
- Resource Management to provide ICT support for Children's Services following transfer from HASS.

The change in the scale and nature of responsibilities covered within the single service arm is substantial and significant.

## 5. Dimensions

### 5.1. Annual Budgets.

The figures below are for the financial year 2007 – 08:

<b>Resource Management - Budget</b>	<b>£000's Expenditure</b>	<b>£000's Income</b>	<b>£000's Total</b>
LCCS Finance	10,703	3,712	14,415
Human Resources	712	19	731
Resources and Planning	5,974	5,509	11,483
Management Information	302	41	343
Access	3,006	113	3,119
IT Support and Development	90	31	121
Strategic Management	1,416	185	1,601
Schools Delegated & Devolved Budgets	81,175	7,731	88,905
<b>Total</b>	<b>103,378</b>	<b>17,341</b>	<b>120,718</b>

### 5.2. Staffing

<b>Service</b>	<b>FTE</b>
LCCS Finance	22.52
Human Resources	8.48
Resources and Planning	27.42
Management Information	11.00
Access	12.40
IT Support and Development	3.00
<b>Total</b>	<b>84.82</b>

## 6. Contacts

- 6.1. The post holder will meet weekly with the Director for a 1:1, and with other members of the DMT at a regular, scheduled meeting to agree the strategic

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direction of the Directorate and to make key decisions as agreed within the constitution and the scheme of delegation.

- 6.2. The post holder will meet and negotiate with individual headteachers, Chairs of Governors and key stakeholders in managing and resolving specific issues.
- 6.3. The post holder will convene and manage meetings of statutory groups: Schools' Forum, Local Admissions Forum, Teachers' Panel, and DJCC.
- 6.4. The post holder ensures that Project Boards are in place to deliver major capital schemes.
- 6.5. The post holder attends regular briefings of school governors and Headteachers, and the directorate's Joint Consultative Group.
- 6.6. Internally, there are established mechanisms and expectations in place for contacts with all levels of staff within the organisation in structured and non structured settings.
- 6.7. The post holder is required to make a major contribution to key corporate groups including Corporate IT Strategy Group, Health and Safety Steering Group, Admin Accommodation Board; Corporate Operations Group, FMS Board, Pay and Grading Board, CLG.
- 6.8. There is also regular and close contact with the Chief Executive of the local authority, the Executive Member for Children's Services, Children's Services EMAP, Inspectors from CSCI/Ofsted, senior staff within the GO:Y&H, and senior staff including directors from other departments within the City Council.

## 7. Decisions

- 7.1. The post holder is required to take key decisions and act with minimal supervision. The post holder has extensive freedom to think, to work through diverse and complex issues and then to take appropriate action.

### 7.2. *Strategic*

The post carries lead responsibilities for:

- Strategic decision making for the management of resources for the directorate,
- Responding to relevant government guidance and statutory requirements,
- Implementation and reporting on key national programmes, such as *Building Schools for the Future*.

### 7.3 *Operational*

The post carries overarching responsibility for high-level decisions within the portfolio of services that are included within the Service Arm. This is specifically demonstrated through named decision-making responsibilities for:

- Decisions about staff, particularly where they carry financial implications,
- Equalities and compliance with the DDA and other legislative requirements,
- The extent and nature of communications to schools by the local authority,

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- School admissions and exclusions and compliance with the DfES Code of Practice on School Admissions,
- Intervention, when required, in the financial management arrangements in place within schools.

7.4 *Financial*

The post carries responsibility for the management of the budget for Resource Management described at Section 5. Specifically the post holder has delegated authority as provided in the scheme of delegation.

7.5 *Human Resources*

The post holder carries responsibility for the workforce within Resource Management to:

- Implement personnel policies for recruitment, disciplinary and training
- Alter the establishment of the service as provided in the scheme of delegation and subject to the approval of DMT
- Approve additional leave entitlement
- Approve relocation and car user payments within council policy

- 7.6 The consequences of ineffective working of the post holder would be to place the authority at risk of investigation and intervention by the Audit Commission (District Audit), the DfES, the Local Adjudicator, the Local Government Ombudsman and the Health and Safety Executive. The AD (Resource Management) also plays a key role in advising on the likely risks to the authority from decisions taken in the directorate about employment, business continuity, procurement, and European legislation on competition, contract compliance, and general legislative requirements on local government.



## **Assistant Director (Partnerships and Early Intervention)**

### **1. Purpose of the job**

- 1.1. To be responsible for the operational and strategic management of the services located within 'Partnerships and Early Intervention'. These include the Children's Trust Planning and Commissioning Unit, Early Years and Extended Schools, the Integrated Youth Service (including the Youth Service, Connexions and Careers Guidance), and Children's Centres;
- 1.2. To ensure that all partners in the city work well together to improve outcomes for children and young people;
- 1.3. To co-ordinate voluntary and out of school provision for children and young people from the ages of 0 – 19;
- 1.4. To target children and young people most at risk of social exclusion and make available opportunities for success.

### **2. Main responsibilities**

- 2.1. To support the Children's Trust (YorOk) Board and other arrangements for partnership working on behalf of children and young people including the Children's Fund;
- 2.2. To maintain the Children and Young People's Plan and to make arrangements for monitoring and reporting progress in improving outcomes for children and young people;
- 2.3. To lead the Preventative Strategy including developments around the Child index (ISA) and the common assessment framework (CAF);
- 2.4. To maintain and develop expertise and experience in commissioning services advising the YorOK board and the local authority of gaps in provision for children and young people at Tier 2;
- 2.5. To provide professional and technical advice on aspects of childcare, early years and extended schools legislation and to support the Early Years and Extended Schools Partnership;
- 2.6. To provide professional and technical advice on the statutory requirements of the Connexions contract for the city and to support the Connexions Local Management Board and its successor body;
- 2.7. To provide support for the Young People's Working Group, liaising with Democracy Services to manage the business;
- 2.8. To secure external grant funding, including lottery funding, to support activity within the service arm;
- 2.9. To be the first point of contact for work with the health service;
- 2.10. To represent the directorate on the Safer York Partnership;
- 2.11. To be responsible for establishing and maintaining the strategy for Children's Centres;
- 2.12. To ensure publication of the Youth Offer;
- 2.13. To develop policy and practice on locality working;
- 2.14. To be responsible for the performance management of the services specified in Section 4 (Organisation);
- 2.15. To fulfil Chief Officers' responsibilities under HR procedures including decision making regarding the employment of staff in Partnerships and Early Intervention;
- 2.16. To set management objectives and targets within Partnerships and Early Intervention and to allocate, manage and monitor resources to deliver agreed policies on time and to budget;
- 2.17. To be a member of the Departmental Management Team for *Learning, Culture and Children's Services*.

### 3. Knowledge, Skills and Experience

#### *Essential Knowledge and Experience*

- A successful track record of achievement at a senior level in Children's Services;
- Knowledge and understanding of the requirements of the Children Act 2004 and the responsibilities of children's services departments for partnership working to secure improved outcomes for children and young people;
- A degree level qualification and/or professional managerial qualification;
- Experience of managing change and large scale complex multi disciplinary projects;
- Significant experience of successfully motivating, managing, persuading and leading staff;
- Demonstrable success in developing effective collaborative working with a range of stakeholders (including schools and government agencies) to achieve objectives;
- Evidence of successfully developing and delivering strategy to meet business objectives and achieve planned results;
- Evidence of significantly improving service delivery;
- Evidence of successfully managing large, technically complex budgets;
- Experience of negotiating significant contracts, commissioning services and monitoring provision.

#### *Skills*

- Highly effective leadership and motivational skills that develop and inspire others, promote high standards and collaborative working amongst internal and external stakeholders;
- Outstanding interpersonal, negotiating and commissioning skills;
- Excellent verbal and written communication skills that are persuasive, informative and effectively engage the interests of a wide range of audiences;
- IT skills and the ability to fully exploit access to modern computer technology;
- Highly developed skills in numeracy and budget management;
- Well developed strategic and operational management skills;
- Corporate and service planning skills that ensure effective resource management, service delivery, best value and continuous improvement;
- Analytical skills that contribute effectively to the identification of development and trends, prioritisation and problem solving.

#### *Competences*

- The ability to think and act strategically at corporate and service levels, be creative and seek innovative solutions to problems;
- The ability to contribute directly and effectively to the successful management of change;
- The ability to analyse complex issues and rapidly present imaginative and practical solutions;
- The ability to recognise and respond to the needs of pupils, parents, customers and citizens, anticipate developments, plan ahead and exploit changes;
- The ability to establish and maintain purposeful commissioning, monitoring, review and evaluation processes;
- The ability to manage own time effectively, working under pressure to tight deadlines and taking responsibility for own professional judgement;

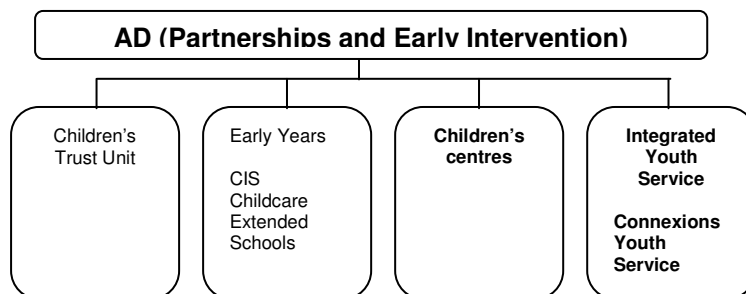
- The ability to chair high level meetings of senior staff on topics of a complex multi-agency nature;
- The ability to contribute effectively to the corporate development of the council, working collaboratively and across departmental boundaries;
- The ability to develop and maintain positive relationships with a diverse range of partners, including the CVS, the PCT, the Acute Hospital Trust, the LSC, the Police, HE, FE, and schools;
- The ability to secure productive working relationships with elected Members.

*Attitude and Behaviour*

- Excellent inter-personal skills;
- A customer focused approach to service delivery;
- An open-minded approach to new opportunities and challenges;
- Commitment to seeking ways to continually improve service delivery and standards;
- Commitment to openness with stakeholders, securing equality of opportunity, tackling institutional and personal prejudices and promoting a positive and unprejudiced attitude towards all sections of the community;
- Awareness of how to achieve good industrial relations and evidence of experience in effective negotiations with staff and their representatives;
- Political awareness and sensitivity to the needs of elected Members and the local democratic process.

**4. Organisation**

The Assistant Director (Partnerships and Early Intervention) will be responsible for managing all of the services identified in the organisation chart below:



The proposed structure sees the following changes:

- Early Years and Extended Schools to move *from Lifelong Learning and Culture*,
- The Youth Service to move from *Access and Inclusion*,
- Responsibility for the Children's Trust and Children's Centres to move from *Children and Families*,
- Connexions to be commissioned through the Children's Trust (YorOK) with the funding being channelled through the local authority.

## 5. Dimensions

### 5.1. Annual Budgets.

The figures below are for the financial year 2007 – 08

<b>Partnerships and Early Intervention - Budget</b>	<b>£000's Expenditure</b>	<b>£000's Income</b>	<b>£000's Total</b>
Children's Trust Unit	427	427	<b>854</b>
Children's Fund	372	372	<b>744</b>
Early Years and Extended Schools	5,277	2,532	<b>7,809</b>
Children's Centres	881	881	<b>1,762</b>
The Youth Service	2,311	508	<b>2,819</b>
Connexions (Estimated)	1,500	1,500	<b>3,000</b>
<b>Total</b>	<b>10,768</b>	<b>6,220</b>	<b>16,988</b>

### 5.2. Staffing.

<b>Service</b>	<b>FTE</b>
Children's Trust Unit	4.85
Early Years and Extended Schools Service	32.72
Sure Start	14.3
The Youth Service	48.85
Connexions (estimated)	15
<b>Total</b>	<b>119.72</b>

## 6. Contacts

- 6.1. The post holder meets with the Director every week for a 1:1, and with other members of the DMT at a regular, scheduled meeting to agree the strategic direction of the Directorate and to make key decisions as agreed within the constitution and the scheme of delegation.
- 6.2. The nature of the post requires close liaison with key partners at a senior level including the Director of Children's Services within the PCT for York and North Yorkshire, the Senior Police officer with responsibility for youth provision, the Chair and the Manager of the Lifelong Learning Partnership, senior staff within the Acute Hospital Trust, Headteacher representatives, the Chief Executive of the CVS and the directorate of National Voluntary Sector organisations;
- 6.3. Internally, there are established mechanisms and expectations in place for contacts with all levels of staff within the organisation in structured and non structured settings.
- 6.4. The post holder is required to make a major contribution to key corporate groups.

- 6.5. There is also regular and close contact with the Chief Executive of the local authority, the Executive Members for Children's Services and for Youth and Social Inclusion, Inspectors from CSCI/Ofsted, senior staff within the GO:Y&H, and senior staff including directors from other departments within the City Council;

## **7. Decisions**

- 7.1. The post holder is required to take key decisions and act with minimal supervision. The post holder has extensive freedom to think, to work through diverse and complex issues and then to take appropriate action.

### *7.2. Strategic*

The post carries lead responsibilities for:

- Maintaining and developing Children's Trust arrangements for working in partnership on behalf of children and young people in the city,
- Commissioning the provision of youth support services as recommended in Every Child Matters and Youth Matters and provided for by the DfES,
- Meeting the requirements of the Childcare Act (2006) which gives LAs a new duty of securing, so far as is reasonably practicable, sufficient childcare to meet the needs of working parents and parents making the transition to work.

### *7.3 Operational*

The post carries overarching responsibility for high level decisions within the portfolio of services that are included within the Service Arm. This is specifically demonstrated through named decision-making responsibilities for:

- Decisions about commissioned services for childcare, play, and integrated youth support,
- Joint commissioning by the Children's Trust of services provided by other partners such as the PCT,
- Use of the Youth Opportunities Fund,
- The development and use of the Index for Children and Young People (ISA) and the CAF,
- Pooled and aligned budgets such as the Children's Fund.

### *7.4 Financial*

The post carries responsibility for the management of the budget for Partnerships and Early Intervention described at Section 5 of this report. Specifically the postholder has delegated authority as provided in the scheme of delegation.

### *7.5 Human Resources*

The postholder carries responsibility for the workforce within Partnerships and Early Intervention to:

- implement personnel policies for recruitment, disciplinary and training,
- alter the establishment of the service as provided in the scheme of delegation and subject to the approval of DMT,
- approve additional leave entitlement,
- approve relocation and car user payments within council policy.

- 7.6 The consequences of ineffective working of the postholder would be to place the authority at risk of failing to fulfil the statutory duty based on the DCS to maintain Children's Trust arrangements, secure sufficient childcare and commission services for young people. This would place the authority at the risk of intervention by the GO:Y&H, the DfES, and Ofsted.

## **Assistant Director (Children and Families)**

### **1. Purpose of the job**

- 1.1. To be responsible for the operational and strategic management of the services located within 'Children and Families'. These include: The 0 – 10 and 11+ social work teams (including Referral and Assessment and the Pathway Team), The Placement Team (including the Disabilities Team, Wenlock Terrace and the Glen), Quality Assurance (including IROs), the Educational Welfare Service, the Educational Psychology Service, the SEN admin team, the specialist disability teams providing support for children and young people in schools and the Youth Offending Team,
- 1.2. To ensure that the authority discharges all of its statutory and non statutory responsibilities for safeguarding children and young people,
- 1.3. To co-ordinate provision for the most vulnerable children and young people in York including those with learning difficulties and disabilities.

### **2. Main responsibilities**

- 2.1. To ensure that provision for children's social care in the authority meets the requirements of legislation and national standards and achieves positive and improving inspection reports from CSCI and Ofsted;
- 2.2. To ensure that provision for children and young people with Special Educational Needs meets all statutory requirements and provides the basis for rising standards of educational achievement;
- 2.3. To ensure that services are available for children in need including disabled children and young people so that their needs are assessed and met appropriately;
- 2.4. To be the nominated person for child protection within the directorate with direct responsibility for maintaining and reviewing child protection arrangements in the city and managing the work of the Safeguarding Unit;
- 2.5. To be the agency decision maker for adoption and the responsible person for all regulated services within the directorate (adoption, fostering and residential care provision);
- 2.6. To provide professional and technical advice to all service providers and support teams on safeguarding, child protection and provision for children with special educational needs;
- 2.7. To be responsible for the work of the Youth Offending Team and to support work aimed at reducing offending by young people in the city;
- 2.8. To develop and implement the Placement Strategy in the authority, ensuring that looked after children are placed in high quality residential and fostering placements where they will be safely cared for and can thrive;
- 2.9. To be responsible for the Inclusion Strategy, ensuring that schools and other services are able to meet the needs of all children and young people, including those that are specified in the DDA and in the Disability Equality Duty;
- 2.10. To be the champion for corporate activity on behalf of the most vulnerable children and families in the city;
- 2.11. To represent the local authority in discussions with key stakeholder groups such as YAFCA;
- 2.12. To be responsible for the performance management of the services specified in Section 4 (Organisation);
- 2.13. To be the authority's lead officer in relation to Multi Agency Public Protection arrangements (MAPPA);

- 2.14. To fulfil Chief Officers responsibilities under HR procedures including decision making regarding the employment of staff in Children and Families;
- 2.15. To set management objectives and targets within Children and Families and to allocate, manage and monitor resources to deliver agreed policies on time and to budget;
- 2.16. To be a member of the Departmental Management Team for *Learning, Culture and Children's Services*.

### **3. Knowledge, Skills and Experience**

#### *Essential Knowledge and Experience*

- A successful track record of achievement in Children's Services;
- Knowledge and understanding of Children's Social Care issues in a local government context;
- Knowledge and understanding of provision in schools for children and young people with Learning Difficulties and Disabilities (LDD);
- A degree level qualification and/or professional managerial qualification (such as DiPSW or equivalent);
- Substantial record of achievement in successfully managing change and large-scale projects;
- Significant experience of successfully motivating, managing, persuading and leading staff;
- Wide experience of successful inter-agency working and demonstrable success in developing effective collaborative working with a range of stakeholders to achieve objectives;
- Evidence of successfully developing and delivering strategy to meet business objectives and achieve planned results;
- Evidence of significantly improving service delivery;
- Evidence of successfully managing large and complex budgets.

#### *Skills*

- Highly effective leadership and motivational skills that develop and inspire others, promote high standards and collaborative working amongst internal and external stakeholders;
- Outstanding interpersonal, negotiating and commissioning skills;
- Excellent verbal and written communication skills that are persuasive, informative and effectively engage the interests of a wide range of audiences;
- IT skills and the ability to fully exploit access to modern computer technology;
- Highly developed skills in numeracy and budget management;
- Well developed strategic and operational management skills;
- Corporate and service planning skills that ensure effective resource management, service delivery, best value and continuous improvement;
- Analytical skills that contribute effectively to the identification of development and trends, prioritisation and problem solving.

#### *Competences*

- Knowledge and significant understanding of the legislative frameworks and key issues relevant to the provision of services by local government;
- The ability to think and act strategically at corporate and service levels, be creative and seek innovative solutions to problems;
- The ability to contribute directly and effectively to the successful management of change;



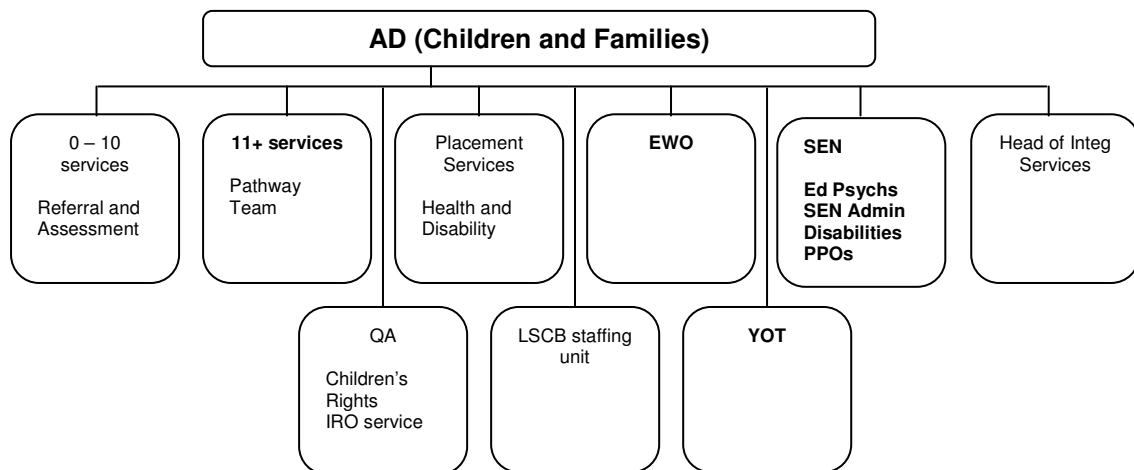
- The ability to analyse complex issues and rapidly present imaginative and practical solutions;
- The ability to recognise and respond to the needs of pupils, parents, customers and citizens, anticipate developments, plan ahead and exploit changes;
- The ability to establish and maintain purposeful commissioning, monitoring, review and evaluation processes;
- The ability to manage own time effectively, working under pressure to tight deadlines and taking responsibility for own professional judgement;
- The ability to chair high level meetings of senior staff on topics of a complex multi-agency nature;
- The ability to secure productive working relationships with elected Members.

*Attitude and Behaviour*

- Excellent inter-personal skills;
- A customer focused approach to service delivery;
- An open-minded approach to new opportunities and challenges;
- Commitment to seeking ways to continually improve service delivery and standards;
- Commitment to openness with stakeholders, securing equality of opportunity, tackling institutional and personal prejudices and promoting a positive and unprejudiced attitude towards all sections of the community;
- Awareness of how to achieve good industrial relations and evidence of experience in effective negotiations with staff and their representatives;
- Political awareness and sensitivity to the needs of elected Members and the local democratic process.

**4. Organisation**

The Assistant Director (Children and Families) will be responsible for managing all of the services identified in the organisation chart below:



This represents a number of changes in the span of responsibility of the Assistant Director (Children and Families) with effect from 1 March 2007. These are as follows:

- Responsibility for lead support of the Children’s Trust (YorOK) arrangements to be moved to the new *AD (Partnerships and Early Intervention)*
- The *AD (Children and Families)* to assume responsibility for the EWO service,
- SEN services, including the SEN admin team and the Parent Partnership Officers, to move to Children and Families,

- The newly created post of Head of Integrated Services to be established within *Children and Families* with a brief to establish improved multi-agency working particularly between the existing disability services for Children's Social Care, the Educational Psychology Service and the services providing support for particular disabilities (HI, VI, Ph and Autism) but also to potentially encompass services currently within the existing remit of partners.

The change in the scale and nature of responsibilities covered within the single service arm is significant.

## 5. Dimensions

### 5.1. Annual Budgets.

The figures below are for the financial year 2007 – 08

<b>Children and Families</b>	<b>£000's</b> Expenditure	<b>£000's</b> Income	<b>£000's</b> Total
Children's Social Care	10,684	900	<b>11,584</b>
Special Educational Needs	5,452	1,203	<b>6,655</b>
Educational Welfare Service	370	0	<b>370</b>
Local Safeguarding Children's Board	168	168	<b>336</b>
Youth Offending Team	933	687	<b>1,620</b>
Total	17,607	2,958	<b>20,565</b>

### 5.2. Staffing.

<b>Service</b>	<b>FTE</b>
0 – 10 Services	26.50
11+ Services	19.50
Placement Services (including The Glen and Wenlock Terrace)	79.12
Educational Welfare Service	8.90
SEN (EPs, Admin team and specialist SEN services)	30.40
Integrated Services	1
Quality assurance/Control	10.00
Local Safeguarding Children's Board	2.61
Youth Offending Team	2.00
Total	180.03

## 6. Contacts

- The post holder meets every week with the Director for a 1:1, and with other members of the DMT at a regular, scheduled meeting to agree the strategic direction of the Directorate and to make key decisions as agreed within the constitution and the scheme of delegation.
- The post holder meets and negotiates with individual headteachers, Chairs of Governors and key stakeholders in managing and resolving specific issues.
- The post holder convenes and manages meetings of key working groups and panels.

- 6.4. Internally, there are established mechanisms and expectations in place for contacts with all levels of staff within the organisation in structured and non structured settings.
- 6.5. There is also regular and close contact with the Chief Executive of the local authority, the Executive Member for Children's Services, Inspectors from CSCI/Ofsted, senior staff within the GO:Y&H, Senior staff including directors from other departments within the City Council.
- 6.6. The nature of the post requires close liaison with key partners at a senior level including the Director of Children's Services within the PCT for York and North Yorkshire, senior staff within the Acute Hospital Trust, the Chief Executive of the CVS and the directorate of National Voluntary Sector organisations, the Independent Chair of the Local Safeguarding Children's Board.

## 7. Decisions

- 7.1. The post holder is required to take key decisions and act with minimal supervision. The post holder has extensive freedom to think, to work through diverse and complex issues and then to take appropriate action.

- 7.2. *Strategic.*

The post carries lead responsibilities for:

- strategic decision making for children's social care and special educational needs
- responses to CSCI/OFSTED inspection reports
- DfES circulars and guidance and statutory requirements
- implementation and reporting on key national programmes

- 7.3. *Operational.*

The post carries overarching responsibility for decisions made concerning children in need. This is specifically demonstrated through named decision-making responsibilities for:

- children in the care of the local authority to be rehabilitated and reside with their parent(s)
- children to be accepted as suitable for adoption
- approval of prospective adoptive parents
- mating of children to adoptive carers
- children to be freed for adoption
- commission investigation and respond to findings of stage 2 Children Act complaints.

- 7.4. *Financial.*

The post carries responsibility for the management of the budget for *Children and Families* described at Section 5. Specifically the postholder has delegated authority as provided in the scheme of delegation.

- 7.5. *Human Resources.*

The postholder carries responsibility for the workforce within *Children and Families* to:

- implement personnel policies for recruitment, disciplinary and training.
- alter the establishment of the service as provided in the scheme of delegation and subject to the approval of DMT
- approve additional leave entitlement
- approve relocation and car user payments within council policy

7.6 The consequences of ineffective working of the postholder would be to place the authority at risk of investigation and intervention by Ofsted, the Local Government Ombudsman, the SEN Tribunal, and the Office of the Data Controller. The DDA and Equalities legislation means that the authority can be challenged about service failure in areas that are the particular responsibility of the Assistant Director for Children and Families.

## **Assistant Director (Lifelong Learning and Culture)**

### **1. Purpose of the job**

- 1.1. To be responsible for the operational and strategic management of the services located within 'Lifelong Learning and Culture'. These include: Libraries and Heritage (including the York Museums Trust), Arts and Culture (including the Peripatetic Schools Music service), Sport and Active Leisure, Parks and Open Spaces and Adult and Community Education;
- 1.2. To ensure that cultural services in York continue to improve the quality of life for residents and visitors to the city;
- 1.3. To promote a culture of lifelong learning in the city that will help to build a confident and creative community.

### **2. Main responsibilities**

- 2.1. To be the first point of contact within the directorate for the Lead Member (Leisure and Culture);
- 2.2. To support the Leisure and Culture EMAP and lead on scrutiny of culture and leisure services,
- 2.3. To be the champion for corporate activity to improve the health and fitness of residents of York,
- 2.4. To manage a city wide planning process for leisure and culture through [York@large](#) and activeyork to deliver a cultural strategy for York;
- 2.5. To represent the authority on sub regional and regional bodies for culture, sport and the arts;
- 2.6. To be responsible for maintaining and developing the sporting and cultural facilities in York and to have oversight of bids to the Heritage Lottery Fund (HLF) and other external sources of funding;
- 2.7. To commission externalised Leisure services (e.g. Museums) ensuring value for money and fit with Council's strategic objectives;
- 2.8. To provide professional and technical advice on the provision of services for culture and leisure in the city, including the use of funding from section 106 planning agreements, and the likely views of Sport England and English Heritage about open space and other facilities for sport and active leisure;
- 2.9. To provide professional and technical advice about the statutory framework for key cultural service such as the archives or the library service;
- 2.10. To ensure an appropriate contribution on behalf of Culture and Leisure to the LAA and the CPA;
- 2.11. To represent the department on key corporate project boards which have implications for the provision of cultural facilities in the city where appropriate;
- 2.12. To be responsible for the performance management of the services specified in Section 4 (Organisation);
- 2.13. To fulfil Chief Officers responsibilities under HR procedures including decision making regarding the employment of staff in Lifelong Learning and Culture;
- 2.14. To set management objectives and targets within Lifelong Learning and Culture and to allocate, manage and monitor resources to deliver agreed policies on time and to budget;
- 2.15. To be a member of the Departmental Management Team for *Learning, Culture and Children's Services*.

### **3. Knowledge, Skills and Experience**

#### *Essential Knowledge and Experience*

- High level of relevant knowledge and commitment to continuing development, indicated by a degree level qualification and/or professional managerial qualification, and/or equivalent level of achievement;
- Knowledge and understanding of Lifelong Learning and culture issues in a local government context;
- Evidence of a clear understanding of Best Value and its application in local government;
- Substantial and impressive record of achievement at senior management level in a comparable organisation;
- Substantial record of achievement in successfully managing change and large-scale projects;
- Evidence of successfully developing and delivering strategy to meet business objectives and achieve planned results;
- Significant experience of successfully motivating, managing, persuading and leading staff;
- Evidence of successfully managing large and complex budgets;
- Demonstrable success in developing effective collaborative working with a range of stakeholders to achieve objectives;
- A record of success in commissioning services and monitoring provision;
- Evidence of success in working closely with schools and other Educational providers;
- Evidence of significantly improving service delivery.

#### *Skills*

- Excellent verbal and written communication skills that are persuasive, informative and effectively engage the interests of a wide range of audiences;
- Outstanding interpersonal, negotiating and commissioning skills;
- Highly effective leadership and motivational skills that develop and inspire others, promote high standards and collaborative working amongst internal and external stakeholders;
- Highly developed skills in numeracy and budget management;
- Well developed strategic and operational management skills;
- Corporate and service planning skills that ensure effective resource management, service delivery, best value and continuous improvement;
- Analytical skills that contribute effectively to the identification of development and trends, prioritisation and problem solving.

#### *Competences*

- Knowledge and significant understanding of the legislative frameworks and key issues relevant to the provision of services by local government;
- Ability to think and act strategically at corporate and service levels and contribute creatively;
- Ability to contribute directly and effectively to the successful management of change;
- Ability to analyse complex issues and rapidly present imaginative and practical solutions;
- Ability to recognise and respond to the needs of pupils, parents, customers and citizens, anticipate developments, plan ahead and exploit changes;

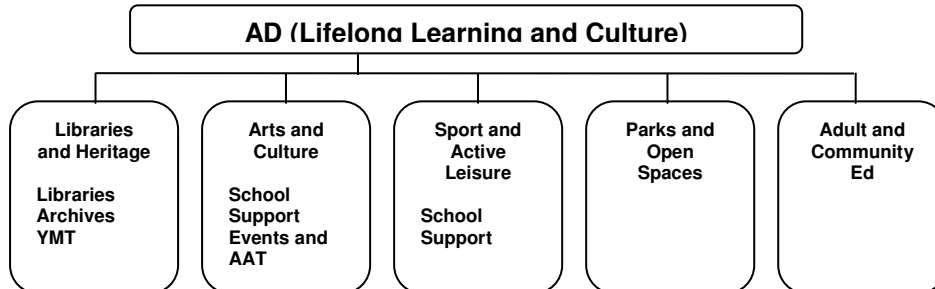
- Ability to establish and maintain purposeful commissioning, monitoring, review and evaluation processes;
- Ability to manage own time effectively, working under pressure to tight deadlines and taking responsibility for own professional judgement;
- Ability to secure productive working relationships with elected Members, particularly in situations where power is balanced between two or more parties.

*Attitude and Behaviour*

- Customer focused approach to service delivery;
- Open to new opportunities and challenges;
- Commitment to seeking ways to continually improve service delivery and standards;
- Commitment to openness with stakeholders, securing equality of opportunity, tackling institutional and personal prejudices and promoting a positive and unprejudiced attitude towards all sections of the community;
- Positive approach to staff and organisational development;
- Positive approach to team working;
- Political awareness and sensitivity to the needs of elected Members and the local democratic process;
- Takes responsibility for own professional and personal development.

**4. Organisation**

The Assistant Director (Lifelong Learning and Culture) will be responsible for managing all of the services identified in the organisation chart below:



This represents a change in the span of responsibility of the Assistant Director (Lifelong Learning and Culture) with effect from the date of appointment of the new AD (Partnerships and Early Intervention):

- Early Years and Extended Schools to transfer to the new AD (Partnerships and Early Intervention).

Work is currently being undertaken to restructure the Library Service and the Arts and Culture Service to ensure the efficient delivery of services that meet the authority's priorities for cultural and leisure services.

**5. Dimensions**

5.1. Annual Budgets.

The figures below are for the financial year 2007 – 08

<b>Lifelong Learning and Culture - Budget</b>	<b>£000's</b> Expenditure	<b>£000's</b> Income	<b>£000's</b> Total
Arts and Culture	2,324	1,133	<b>3,457</b>
Sport and Active Leisure	4,909	1,646	<b>6,555</b>
Parks and Open Spaces	1,820	486	<b>2,306</b>
Libraries and Heritage	5,000	399	<b>5,399</b>
Adult and Community Education	2,250	1,976	<b>4,226</b>
LL&C Management & Support	1,723	1,735	<b>3,458</b>
<b>Total</b>	<b>18,026</b>	<b>7,375</b>	<b>25,401</b>

## 5.2. Staffing.

<b>Service</b>	<b>FTE</b>
Arts and Culture	37.84
Sport and Active Leisure	50.36
Parks and Open Spaces	5.15
Libraries and Heritage	67.43
Adult and Community Education	46.94
<b>Total</b>	<b>207.72</b>

## 6. Contacts

- 6.1. The post holder meets weekly with the Director for a 1:1, and with other members of the DMT at a regular, scheduled meeting to agree the strategic direction of the Directorate and to make key decisions as agreed within the constitution and the scheme of delegation.
- 6.2. The nature of the post requires close liaison with key partners in the city and beyond including the Chief Executive of the York Museums Trust, the Chair of [York@Large](#) and the ActiveYork Partnership, the Chief Executive of the MLA Yorkshire, the Regional Executive Director of the Arts Council, and senior officers at Sport England (Yorkshire);
- 6.3. Internally, there are established mechanisms and expectations in place for contacts with all levels of staff within the organisation in structured and non structured settings;
- 6.4. The post holder is required to make a major contribution to corporate policies and to work with senior staff including directors from other departments within the City Council. In particular the post holder expected to make an input into major capital schemes such as the Oaklands Sports facilities or the Barbican, and policy documents such as the Local Development Framework;
- 6.5. There is also regular and close contact with the Chief Executive of the local authority, the Executive Member for Leisure and Culture, senior staff from the Audit Commission, and from regional bodies such as the GO:Y&H.



## 7. Decisions

7.1. The post holder is required to take key decisions and act with minimal supervision. The post holder has extensive freedom to think, to work through diverse and complex issues and then to take appropriate action.

### 7.2. *Strategic*

The post carries lead responsibilities for:

- strategic decision making for maintaining the cultural infrastructure for the city,
- developing bids for external funding from organisations such as the Heritage Lottery Fund (HLF) and the Arts Council,
- Contributing towards the Local Development Plan, and the spatial strategy,
- Co-ordinating the provision made through Section 106 Planning contributions for Leisure.

### 7.3 *Operational*

The post carries overarching responsibility for high level decisions within the portfolio of services that are included within the Service Arm. This is specifically demonstrated through named decision-making responsibilities within the scheme of delegation.

### 7.4 *Financial*

The post carries responsibility for the management of the budget for Lifelong Learning and Culture described at Section 5 of this report. Specifically the postholder has delegated authority as provided in the scheme of delegation.

### 7.5 *Human Resources*

The postholder carries responsibility for the workforce within Lifelong Learning and Culture to:

- implement personnel policies for recruitment, disciplinary and training.
- alter the establishment of the service as provided in the scheme of delegation and subject to the approval of DMT
- approve additional leave entitlement
- approve relocation and car user payments within council policy

7.6 The consequences of ineffective working of the postholder would be to place the authority at risk of investigation and intervention by the Audit Commission (District Audit), the Adult Learning Inspectorate (ALI), Sport England, the Learning and Skills Council and the Local Government Ombudsman.

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## **Assistant Director (School Improvement and Staff Development)**

### **1. Purpose of the job**

- 1.1. To be responsible for the operational and strategic management of the services located within 'School Improvement and Staff Development'. These include the Education Development Service (Advisers and consultants), the Training and Development unit, The Ethnic Minority Service (Traveller Education Service and Ethnic Minority Achievement Service), School Governance, Behaviour Support (including the Bridge Centre), The Pupil Support Centre (including the PRU and the Skills Centre),
- 1.2. To ensure that the authority discharges its statutory and non statutory responsibilities for raising standards in schools,
- 1.3. To co-ordinate services providing management, curriculum, learning and behaviour support for schools,
- 1.4. To be responsible for the Children's Services Workforce Development Strategy,
- 1.5. To provide education for pupils who have been excluded from mainstream education.

### **2. Main responsibilities**

- 2.1. To act as the Chief Adviser for the authority taking responsibility for the city-wide school improvement strategy;
- 2.2. To monitor school standards and be responsible for the LA protocol for working with schools based on the New Relationship with Schools (NRwS);
- 2.3. To ensure effective local delivery of the National Strategies for raising the standard of pupil performance at all key stages;
- 2.4. To provide professional and technical advice to schools on all aspects of the Ofsted Framework for Inspection including leadership and management and curriculum provision;
- 2.5. To provide professional and technical advice to school governors on all aspects of their responsibilities, ensuring that school governance is effective and meets statutory requirements;
- 2.6. To be responsible for making provision for the education of all pupils of statutory school age;
- 2.7. To be responsible for the authority's contribution to the 14 – 19 strategy for the city of York;
- 2.8. To be the lead officer for the Joint Area Review (JAR) and for ensuring that the authority achieves positive and improving inspection reports from Ofsted;
- 2.9. To be responsible for the Workforce Development Strategy and the associated programme of staff development to support the management of change;
- 2.10. To be the champion for corporate activity to support the skills strategy for the city;
- 2.11. To led on the submission of bids for external funding to support initiatives in schools, particularly where opportunities are made available for additional resources through the standards fund;
- 2.12. to maintain and support relationships with key stakeholders and to represent the authority on key external bodies at local and regional level;
- 2.13. To be responsible for the performance management of the services specified in Section 4 (Organisation);
- 2.14. To fulfil Chief Officers' responsibilities under HR procedures including decision making regarding the employment of staff in School Improvement and Staff Development;

- 2.15. To set management objectives and targets within School Improvement and Staff Development and to allocate, manage and monitor resources to deliver agreed policies on time and to budget;
- 2.16. To be a member of the Departmental Management Team for *Learning, Culture and Children's Services*.

### **3. Knowledge, Skills and Experience**

#### *Essential Knowledge and Experience*

- A successful track record of achievement in Children's Services;
- knowledge and a significant understanding of the legislative framework and key issues relevant to school improvement and the role of the Local Authority;
- Knowledge and understanding of provision in schools for children and young people with Learning Difficulties and Disabilities (LDD);
- Knowledge and understanding of the work of the CWDC and the TDA and requirements of a workforce development strategy;
- A degree level qualification and/or professional managerial qualification (such as PGCE or equivalent);
- Significant experience leadership and management at a senior level in schools, preferably as a Headteacher;
- Substantial record of achievement in successfully managing change and large-scale projects;
- Significant experience of successfully motivating, managing, persuading and leading staff;
- Wide experience of successful inter-agency working and demonstrable success in developing effective collaborative working with a range of stakeholders to achieve objectives;
- Evidence of successfully developing and delivering strategy to meet business objectives and achieve planned results;
- Evidence of significantly improving service delivery;
- Evidence of successfully managing large and complex budgets;
- Evidence of success in building effective working relationships with representatives of the GO, DfES, QCA, CWDC, TDA and OFSTED.

#### *Skills*

- Highly effective leadership and motivational skills that develop and inspire others, promote high standards and collaborative working amongst internal and external stakeholders;
- Outstanding interpersonal, negotiating and commissioning skills;
- Excellent verbal and written communication skills that are persuasive, informative and effectively engage the interests of a wide range of audiences;
- IT skills and the ability to fully exploit access to modern computer technology;
- Highly developed skills in numeracy and budget management;
- Well developed strategic and operational management skills;
- Corporate and service planning skills that ensure effective resource management, service delivery, best value and continuous improvement;
- Analytical skills that contribute effectively to the identification of development and trends, prioritisation and problem solving.

#### *Competences*

- Knowledge and significant understanding of the legislative frameworks and key issues relevant to the provision of services by local government;

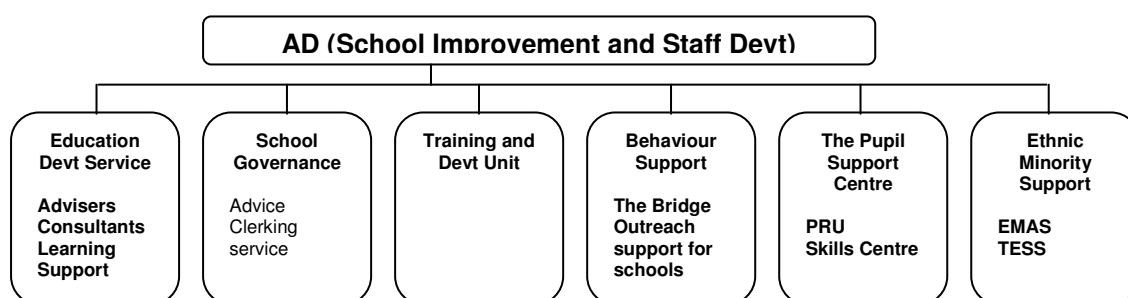
- The ability to think and act strategically at corporate and service levels, be creative and seek innovative solutions to problems;
- The ability to contribute directly and effectively to the successful management of change;
- The ability to analyse complex issues and rapidly present imaginative and practical solutions;
- The ability to recognise and respond to the needs of pupils, parents, customers and citizens, anticipate developments, plan ahead and exploit changes;
- The ability to establish and maintain purposeful commissioning, monitoring, review and evaluation processes;
- The ability to manage own time effectively, working under pressure to tight deadlines and taking responsibility for own professional judgement;
- The ability to chair high level meetings of senior staff on topics of a complex multi-agency nature;
- The ability to secure productive working relationships with elected Members.

*Attitude and Behaviour*

- Excellent inter-personal skills;
- A customer focused approach to service delivery;
- An open-minded approach to new opportunities and challenges;
- Commitment to seeking ways to continually improve service delivery and standards;
- Commitment to openness with stakeholders, securing equality of opportunity, tackling institutional and personal prejudices and promoting a positive and unprejudiced attitude towards all sections of the community;
- Awareness of how to achieve good industrial relations and evidence of experience in effective negotiations with staff and their representatives;
- Political awareness and sensitivity to the needs of elected Members and the local democratic process.

**4. Organisation**

The Assistant Director (School Improvement and Staff Development) will be responsible for managing all of the services identified in the organisation chart below:



This represents a number of changes in the span of responsibility of the Assistant Director (School Improvement and Staff Development) with effect from 1 March 2007. These are as follows:

- EDS to assume responsibility for all curriculum support for pupils with special educational needs, under the overall management of the Adviser for SEN, including the transfer of Learning Support Staff from Access and Inclusion.
- Behaviour support services to be reorganised to create a clearer distinction between services designed to maintain pupils in mainstream education (outreach

support and the Bridge Centre), and provision for pupils who have been excluded from mainstream education or need work related learning (The PRU and the Bridge Centre).

- Ethnic Minority Support Services to be transferred directly from Access and Inclusion in their current form.

The changes in the scale and nature of responsibilities covered within the single service arm are significant. In order to acknowledge this, the post of Principal Adviser will be created from within the existing establishment to take operational responsibility for the EDS

## 5. Dimensions

### 5.1. Annual Budgets.

The figures below are for the financial year 2007 – 08

<b>School Improvement and Staff Development Budget</b>	<b>£000's Expenditure</b>	<b>£000's Income</b>	<b>£000's Total</b>
Education Development Service	2,479	924	<b>3,403</b>
Behaviour Support Service (Incl. Bridge Centre)	1,570	297	<b>1,867</b>
The Pupil Support Centre (incl. Skills Centre)			
Learning Support Services	576	101	<b>677</b>
School Governance Service	161	89	<b>250</b>
Training and Development Unit	542	203	<b>745</b>
Ethnic Minority Service	522	263	<b>785</b>
Standards Fund	8,115	7,436	<b>15,551</b>
Total	13,965	9,313	<b>23,278</b>

### 5.2. Staffing.

<b>Service</b>	<b>FTE</b>
Education Development Service	24.87
Behaviour Support Service (Incl. Bridge Centre)	8.05
The Pupil Support Centre (incl. Skills Centre)	32.14
Learning Support Services ( <b>Inclusion Support</b> )	<b>5</b>
School Governance Service	5.18
Training and Development Unit	4.90
Ethnic Minority Achievement Service + Traveller Service	10.67
Total	90.81

## 6. Contacts

- 6.1. The post holder meets every week with the Director for a 1:1, and with other members of the DMT at a regular, scheduled meeting to agree the strategic direction of the Directorate and to make key decisions as agreed within the constitution and the scheme of delegation.

- 6.2. The post holder chairs the termly briefing meetings for the Chairs of school governing bodies and attends meetings of Headteachers, and the directorate's Joint Consultative Group.
- 6.3. The post holder meets and negotiates with individual headteachers, Chairs of Governors and key stakeholders in managing and resolving specific issues.
- 6.4. The post holder convenes and manages meetings of key working groups and panels, including the Primary Strategy Group, and individual School Improvement Boards.
- 6.5. Internally, there are established mechanisms and expectations in place for contacts with all levels of staff within the organisation in structured and non structured settings.
- 6.6. There is also regular and close contact with the Chief Executive of the local authority, the Executive Member for Children's Services, Inspectors from CSCI/Ofsted, senior staff within the GO:Y&H, Senior staff including directors from other departments within the City Council and the Director of the National Strategies in the region.
- 6.7. The nature of the post requires close liaison with key partners in the city at a senior level including the Children's Trust (YorOK), the Lifelong Learning Partnership, FE and HE institutions in the city, and NYBEP (North Yorks Business Education Partnership).

## **7. Decisions**

- 7.1. The post holder is required to take key decisions and act with minimal supervision. The post holder has extensive freedom to think, to work through diverse and complex issues and then to take appropriate action.

### *7.2. Strategic.*

The post carries lead responsibilities for:

- Meeting the Local Authority's statutory responsibility for raising standards in schools,
- Ensuring that the Local Authority has appropriate arrangements for workforce development,
- Making appropriate arrangements to secure and maintain effective governance of schools in accordance with statutory requirements.

### *7.3. Operational.*

The post carries overarching responsibility for high level decisions within the portfolio of services that are included within the Service Arm. This is specifically demonstrated through named decision-making responsibilities for:

- Making decisions about the position of individual schools within the new LA protocol for working with schools,
- Setting Local Authority targets for pupil performance and undertaking a dialogue with schools about target setting,
- Leading interventions by the Local Authority to secure at least satisfactory provision of education in schools,
- Ensuring that appropriate provision is available for children and young people who are educated other than at school.

7.4 *Financial.*

The post carries responsibility for the management of the budget for School Improvement and Staff Development described at Section 5. Specifically the postholder has delegated authority as provided in the scheme of delegation.

7.5 *Human Resources.*

The postholder carries responsibility for the workforce within School Improvement and Staff Development to:

- implement personnel policies for recruitment, disciplinary and training,
- alter the establishment of the service as provided in the scheme of delegation and subject to the approval of DMT,
- approve additional leave entitlement,
- approve relocation and car user payments within council policy.

7.6. The consequences of ineffective working of the postholder would be to place the authority at risk of investigation and intervention by Ofsted, the DfES and the GO:Y&H.





## JOB DESCRIPTION

DRAFT

<b>DIRECTORATE:</b> Learning Culture and Children's Services		<b>DEPARTMENT:</b> Resource Management	
<b>JOB TITLE:</b> Head of Access		<b>POST NUMBER:</b>	
<b>REPORTS TO (Job Title):</b> AD Resource Management		<b>Current Grade</b> (For ref): PO17 – PO20	
<b>1.</b>	<b>MAIN PURPOSE OF JOB</b> The post holder's role is to ensure that all children and young people can access appropriate education provision and that individuals are supported in their learning. The current team provides a range of highly sensitive and public facing services including school admissions, pupil exclusions, transport arrangements for school students, student support, welfare benefits, managing a statutory complaints service, and issuing of performance licences and work permits for school-aged pupils. The team plays a key role in providing information and advice to pupils, parents, students and schools.		
<b>2.</b>	<b>KEY TASKS:</b>		
i.	To provide effective and accountable leadership of the Education Access Team as one of the Directorate's core teams in providing efficient, effective and responsive services to a wide range of external and internal client groups.		
ii.	To contribute to the formulation, implementation and evaluation of the strategic aims and plans of the LCCS service to ensure that the LA provides high quality leadership and services to meet the needs of the people of York.		
iii.	To provide professional and technical advice regarding school admissions, pupil exclusions and changes arising from the Education and Inspection Act 2006 (eg Choice Adviser) to parents and carers, elected members, the Local Admissions Forum, governing bodies and head teachers.		
iv.	To support statutory processes arising from proposals to close, merge or create schools.		
v.	To manage referral routes for hard to place pupils, ensuring that all children and young people receive an appropriate education (detailed below).		
vi.	To contribute to Council-wide corporate development commensurate with the level of the post.		
vii.	To exercise leadership, direction and discretion in managing the		

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		Education Access Services and its resources.
	viii.	To manage the delivery of the LA's statutory responsibilities in relation to admissions, exclusions, transport, welfare benefits, student support, customer enquiries, complaints and appeals.
	ix.	To maintain the Education Otherwise register with details of all pupils not on the roll of a mainstream school, showing the provision that is currently being made for them.
	x.	To track all exclusions of 6 days or more, ensuring that full time provision is made for their education in school, or otherwise.
	xi.	To manage processes associated with all permanent exclusions, ensuring that schools follow correct procedures and meet appropriate deadlines for appeals.
	xii.	To chair the Reintegration Panel, in order to place as many pupils as possible in mainstream schools with the support identified in their reintegration plans.
	xiii.	To chair the Tracking Group and to ensure alternative provision where placements have been unsuccessful.
	xiv.	To contribute towards service reviews in Access areas in line with national developments.
	xv.	To manage working relationships and co-working with other teams and agencies to ensure effective provision of services.
	xvi.	To develop and maintain effective interpersonal relations with Chief Officers and Elected Members.
	xvii.	To develop and maintain effective interpersonal relations with schools, colleges, parents, trade unions, staff representatives, voluntary and other organisations, aiming for constructive partnerships in the delivery of quality educational support provision.
	xviii.	To exercise effective leadership in providing responsive and relevant services that improve access to educational services.
	xix.	To produce and implement an annual service plan and review statement, taking full account of the Council's policies, priorities and objectives.
	xx.	To promote effective educational, managerial and administrative practices and standards through the provision of staff development, monitoring and evaluation processes.
	xxi.	To act and manage in accordance with the Council policies.
	xxii.	To deal with press and media enquiries.
	xxiii.	To substitute for line manager and colleagues when appropriate.
	xxiv.	To undertake any other duties which may be required from time to time commensurate with the grade of the post.

3.	<p><b>SUPERVISION / MANAGEMENT OF PEOPLE</b></p> <p>No. reporting -  Direct: 14  Indirect:  Members of the team face new challenges – IT systems – transport/finance, admissions on-line, complaints</p>				
4.	<p><b>CREATIVITY &amp; INNOVATION</b></p> <p>This post requires minimal intervention, the freedom to act; deals with frequent press and media interest. The post holder is involved in setting up bullying questionnaires, conference and training, and looking for new solutions such as on-line admissions, new transport partnerships, etc.</p>				
5.	<p><b>CONTACTS &amp; RELATIONSHIPS</b></p> <p>The post holder will be required to work with a very wide range of stakeholders and in a range of multi-agency partnerships. Good communication, networking and charing skills are essential to the role. The post involves problem solving, some conflict resolution and a clear understanding of the way that people operate in partnerships. Key contacts include headteachers, governing bodies, elected members, parents and pupils. The post holder needs to be authoritative and collaborative, to deal with private sector transport providers, student loan company and DfES officers. The post holder works closely with the DMT and with the Local Government Ombudsman, and also chairs various panels and committees.</p>				
6.	<p><b>DECISIONS – discretion &amp; consequences</b></p> <p>The role involves extensive discretion. The post holder has responsibility for a £2.3m transport budget as well as a budget for hard to place placements. Consequences would include impacting on the standing of the City of York Council with regard to the APA; involvement with appeals tribunals; effect on PIs and Admission targets.</p>				
7.	<p><b>RESOURCES – financial &amp; equipment</b>  <i>(Not budget, and not including desktop equipment.)</i></p> <table border="0" style="width: 100%;"> <thead> <tr> <th style="text-align: left;"><u>Description</u></th> <th style="text-align: right;"><u>Value</u></th> </tr> </thead> <tbody> <tr> <td colspan="2">The post holder is accountable for office furniture and equipment.</td> </tr> </tbody> </table>	<u>Description</u>	<u>Value</u>	The post holder is accountable for office furniture and equipment.	
<u>Description</u>	<u>Value</u>				
The post holder is accountable for office furniture and equipment.					
8.	<p><b>WORK ENVIRONMENT – work demands, physical demands, working conditions &amp; work context</b></p> <p><b>Work demands</b></p> <ul style="list-style-type: none"> <li>▪ Can be pressure caused by competing deadlines and unplanned demands</li> <li>▪ <b>Physical demands</b></li> <li>▪ No specific physical demands</li> </ul>				

	<p><b>Work conditions</b></p> <ul style="list-style-type: none"> <li>City centre office location with the access team</li> </ul> <p><b>Work context</b></p> <ul style="list-style-type: none"> <li>The post holder operates within a wide ranging partnership context encompassing integrated service provision of differing forms – collocation/integrated teams/partnership forums</li> </ul>		
<p><b>9.</b></p>	<p><b>KNOWLEDGE &amp; SKILLS</b></p> <p>The post holder is required to show demonstrable leadership and management qualities, demonstrable comprehensive technical knowledge of current legislation and guidance on education access and school organisation issues. The post holder should demonstrate previous success in motivating a team and individuals, previous success with staff development and empowerment. Experience of effective management of significant budgets and understanding of financial regulations and procurement skills are essential, as are good interpersonal and communication skills, both written and verbal. The post holder should have the ability to present information coherently to a variety of audiences including headteachers, governing bodies, elected members and parents. The post holder should have experience of working in education at senior level, as well as proven experience and ability to measure, monitor and improve the performance of a team including the use of management information, quality assurance and continuous development tools.</p>		
<p><b>10.</b></p>	<p><b>Position of Job in Organisation Structure</b></p> <div style="text-align: center;"> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Job reports to: AD Resource Management</div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 5px; width: 200px; text-align: center;">This post</div> <div style="border: 1px solid black; padding: 5px; width: 200px; text-align: center;">Other jobs at this level:</div> </div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> Jobs reporting up to this one:  Education Officer  Transport Officer  Team Leader Schools/Customers  Choice Adviser  Student Support Officer  Access Officers </div> </div>		
<p><b>Job Description agreed by:</b></p>	<p><b>Name:</b></p>	<p><b>Signature:</b></p>	<p><b>Date:</b></p>

Job Holder			
Manager			
Job Analyst			

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## JOB DESCRIPTION

DRAFT

<b>DIRECTORATE:</b> Learning Culture and Children's Services		<b>DEPARTMENT:</b> Early Intervention and Partnerships	
<b>JOB TITLE:</b> Head of Children's Trust Unit and Locality Planning		<b>POST NUMBER:</b>	
<b>REPORTS TO (Job Title):</b> <b>AD Early Intervention and Partnerships</b>		<b>Current Grade</b> (for ref): PO 14-16	
1.	<b>MAIN PURPOSE OF JOB</b> To manage the Children and Young People's Planning Unit (known locally as the Children's Trust Unit) and to support the local implementation of the Change for Children agenda across a wide range of stakeholders and partnerships.		
2.	<b>KEY TASKS:</b>		
i.	To take a lead role in delivering the objectives of the Children and Young People's Plan, and report on progress to the YorOK Board ensuring that decision making is informed by a sound research and evidence		
ii.	Support key partnerships to improve outcomes for children and young people, meeting the priorities established in the Children and Young People's Plan 2007/10. This will include developing a research and evidence base of best practice in early intervention, parenting support and involving children, young people and their parents in the design, development and delivery of services.		
iii.	In partnership with others including parents, contribute to the identification of vulnerable children, young people and their families and ensure that appropriate support and intervention systems are in place, including easily accessible information about the wide range of services available in the city.		
iv.	Continue the development of more integrated work across a range of services and settings, including the development of working practices and tools such as the child index, common assessment framework and lead practitioner. Ensure that appropriate links are made between the children and young people's agenda and wider strategic partnerships and services.		
v.	Develop and commission new models of service delivery in		

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		response to identified need, including exploring the potential for implementing enhanced localised planning arrangements.
	vi.	Operational management of the Children's Trust Unit including line management, supervision and performance development reviews of relevant staff.
	vii.	Ensure that work plans are developed, delivered and monitored for the strategies directly supported by staff in the unit. These currently include Information Sharing and Assessment, Children's Fund, Teenage Pregnancy and Sexual Health, Communication and Parenting Education and Support.
	viii.	Ensure that specific projects are developed and delivered to support the Change for Children agenda
	ix.	Budget management and applications for funding to support the work of the Yor OK Board
	x.	To work as part of the management team of a broader service arm enhancing the development of partnerships and early intervention strategies
<b>3.</b>	<b>SUPERVISION / MANAGEMENT OF PEOPLE</b> No. reporting - Direct: 8 Indirect: 2 The majority of the members of the team are managers with responsibilities to specific partnership boards. The number of people in the team will change in line with the requirements of the work.	
<b>4.</b>	<b>CREATIVITY &amp; INNOVATION</b> This post requires the ability to identify and create opportunities for services to be developed and delivered in different ways – it requires a clear vision and focus on improving outcomes for children and young people along with enthusiasm and build capacity,	
<b>5.</b>	<b>CONTACTS &amp; RELATIONSHIPS</b> The post holder will be required to work with a very wide range of stakeholders and in a range of multi-agency partnerships. Good communication, networking and charing skills are essential to the role. The post involves problem solving, some conflict resolution and a clear understanding of the way that people operate in partnerships. A key requirement of the team is to enable the participation of children, young people, parents and communities in the decision making process and the development of Yor OK.	
<b>6.</b>	<b>DECISIONS – discretion &amp; consequences</b> The role involves the development and implementation of a wide range of strategies in multi-agency partnerships along with work plans, specific project plans and budget plans; it has a direct and measurable outcome in enabling access to a wider range of services.	



7.	<p><b>RESOURCES – financial &amp; equipment</b>  <i>(Not budget, and not including desktop equipment.)</i></p> <p><u>Description</u> <span style="float: right;"><u>Value</u></span></p> <p>The post holder is accountable for office furniture and equipment.</p>
8.	<p><b>WORK ENVIRONMENT – work demands, physical demands, working conditions &amp; work context</b></p> <p><b>Work demands</b></p> <ul style="list-style-type: none"> <li>▪ Can be pressure caused by competing deadlines and unplanned demands – this is the nature of a post which is about supporting change</li> </ul> <p><b>Physical demands</b></p> <ul style="list-style-type: none"> <li>▪ No specific physical demands</li> </ul> <p><b>Work conditions</b></p> <ul style="list-style-type: none"> <li>▪ City centre office location with the planning team</li> </ul> <p><b>Work context</b></p> <ul style="list-style-type: none"> <li>▪ The post holder operates within a wide ranging partnership context encompassing integrated service provision of differing forms – collocation/integrated teams/partnership forums</li> </ul>
9.	<p><b>KNOWLEDGE &amp; SKILLS</b></p> <p>The post holder is required to have a good understanding of the 0-19+ agenda, key stakeholders and planning partnerships, and relevant legislation and policy.</p> <p>Accredited learning in an aspect of children and young people’s work to at least degree level.</p> <p>Proven ability to work in complex multi-agency partnerships</p> <p>Excellent communication skills at an individual and group level and the ability to produce written documents of a very high quality</p> <p>Knowledge of the opportunities for and barriers to integrated practice and experience of overcoming those barriers</p> <p>Experience or knowledge in developing effective commissioning strategies</p> <p>Demonstrable knowledge/skills in project planning and performance reporting against plans</p> <p>Experience of effective management of staff</p>

**10. Position of Job in Organisation Structure**

Job reports to:  
 AD Partnerships and Early Intervention

This post

Other jobs at this level:

Jobs reporting up to this one:  
 Information Sharing and Assessment Project Manager  
 Children's Fund Manager  
 Children and Families Planning Officer  
 Parenting Education and Support Coordinator  
 Early Intervention Parenting Pathfinder Project Manager  
 Teenage Pregnancy and Sexual Health Coordinator  
 Connexions Local Manager  
 Events, Marketing and Admin Coordinator

Job Description agreed by:	Name:	Signature:	Date:
Job Holder			
Manager			
Job Analyst			

## **Principal Adviser (School Improvement and Staff Development)**

### **1. Purpose of the job**

- 1.1 To provide additional management capacity to support the AD (School Improvement and Staff Development) with his/her increased range of responsibilities,
- 1.2 To take a leading role in managing the operational work of the Education Development Service.
- 1.3 To support all services within the School Improvement and Staff Development Service Arm in working coherently to deliver a high quality service to schools,
- 1.4 To ensure key partners and external consultants are supported in making an effective contribution to the city-wide school improvement strategy.

### **2. Main responsibilities**

- 2.1 To report to the AD (School Improvement and Staff Development) on the strengths and weaknesses within the school improvement strategy,
- 2.2 To take responsibility with the lead adviser (Primary) for the implementation of the School Causing Concern policy,
- 2.3 Plan with team members appropriate allocation of resources to support targeted intervention in schools,
- 2.4 To monitor the impact of the National Strategies on school standards,
- 2.5 To work with team members in analysing and interpreting performance data and local intelligence to identify school needs and shape work patterns,
- 2.6 To co-ordinate the planning and evaluation cycles of the Education Development Service,
- 2.7 Provide support to the AD (School Improvement and Staff Development) in planning and implementing a professional development programme for all team members,
- 2.8 To take responsibility with the lead adviser (Primary) for the development and implementation of a leadership and management programme for staff in schools,
- 2.9 Regularly liaise with those services which support school improvement, to ensure coherence in service delivery,
- 2.10 To take a lead in developing and monitoring high quality partnership working within the directorate and with other agencies.

### **3. Knowledge, Skills and Experience**

#### *Essential Knowledge and Experience*

- A successful track record in school improvement;

- A good knowledge and understanding of key national and local education priorities;
- A good understanding of how to ensure all children and young people, particularly the most vulnerable have access to a good quality education;
- A degree level qualification;
- Significant experience in senior leadership (preferably headship) in school and as a senior officer in a Local Authority;
- Successful experience in managing, leading and motivating a high performing team;
- Experience in strategic planning and in meeting identified objectives;
- Significant experience in the implementation of quality assurance systems;
- Experience in budget management
- Good understanding of systems which identify strengths and weaknesses through the use of performance management and external benchmarking.

#### *Skills*

- Range of effective leadership and management skills;
- High quality interpersonal skills;
- Good verbal, written and presentational skills;
- Well developed IT and numeracy skills;
- Excellent analytical skills to enable effective prioritisation of resources to ensure maximum impact.

#### *Competences*

- Good knowledge and understanding of legislation relating to all aspects of education;
- The ability to analyse data, identify strengths and weaknesses in school performance and provide appropriate solutions;
- The ability to think, plan and monitor strategically;
- The ability to establish and maintain effective working relationships with key partners;
- The expertise needed to establish and maintain effective monitoring and evaluation systems;
- The ability to lead, manage and evaluate the impact of purposeful change;
- The ability to chair effectively meetings of LA officers, headteachers and key partners.

#### *Attitude and Behaviour*

- Good interpersonal skills;
- A customer focused approach to service delivery;
- An open minded approach to new opportunities, challenges and seeking solutions;

- A respect for the expertise and experience that partners bring to school improvement;
- A positive attitude towards schools, their needs and the range of expertise they bring to school improvement.

#### **4. Organisation**

- 4.1 The principal adviser is a new post restricted to the internal promotion of one of the two lead advisers to enhance management capacity needed as a result of the extended responsibilities of the Assistant Director (School Improvement and Staff Development);
- 4.2 The post holder will manage the Education Development Service and be central to the effectiveness of the interface between schools and the department.

#### **5. Dimensions**

- 5.1 The post holder will contribute to the monitoring of the Education Development Service budget.

#### **6. Contacts**

- 6.1 The post holder will meet with the Assistant Director (School Improvement and Staff Development) every two weeks and on a weekly basis with him/her and the lead adviser (Primary) to review progress against the Service Plan, discuss school specific concerns and identify short term priorities.

#### **7. Decisions**

- 7.1 The post holder will take key decisions with the lead adviser (Primary) and the Assistant Director (School Improvement and Staff Development) on the strategic direction of the School Improvement Service and day to day operational activities;
- 7.2 The post carries responsibility for the administrative team supporting the Education Development Service and the operational activity of the team.

#### **8. Financial**

- 8.1 The post holder will support the Assistant Director (School Improvement and Staff Development) maintain relevant budgets and the impact they are having on school improvement.

## **9. Human Resources**

9.1 The post holder will support the Assistant Director (School Improvement and Staff Development) in ensuring team members are:

- highly motivated
- supported in their work
- delivering a high quality service

9.2 The consequences of ineffective working of the postholder would be to place the authority at risk in the following areas:

- relationship with headteachers and governors
- relationship between the LA and external monitoring authorities, Ofsted, DfES and the GO, HY&H
- standards achieved and quality of provision in schools.

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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***Urgency Committee******20<sup>th</sup> March 2007***

Report of the Director, People and Improvement

***Appointments Committee for the Head of Human Resources*****Summary**

1. This report seeks formal support to proceed with the appointment of a Head of Human Resources and approval for the membership of an Appointments Committee for the post within the Chief Executive's Directorate.
2. The report is being considered at an Urgency Committee because of the need to stabilise the current interim arrangements, to enable the Directorate to operate effectively, and to avoid any further delay.

**Background**

3. Standing Order 40 (c) (1) of the Council's Constitution requires that an Appointments Committee, including at least one member of the Executive, interviews all qualified applicants for Chief Officer posts or selects a shortlist of such applicants and interview those on this shortlist.
4. The Appointments Committee will be constituted on a proportional basis (2:1). This will mean that there will be two Liberal Democrat members and one Labour member.

**Consultation**

5. The Leader and Opposition Leader have agreed to consider this item at an Urgency Committee. Consultation has taken place with the two largest political groups, through their group secretaries, regarding their nominations to the Appointments Committee.

**Options**

6. There are no alternative options for Members to consider, other than simply not proceeding with the establishment of an Appointments Committee at this stage, which would delay any subsequent appointment.

## Analysis

7. The creation of an Appointments Committee will allow the appointment process to progress without delay and the post to be filled, allowing the Directorate to operate effectively.

## Corporate Priorities

8. Making an appointment to the post of Head of Human Resources will contribute to our Corporate Priorities relating to improving organisational effectiveness:
  - Improve our focus on the needs of customers and residents in designing and providing services;
  - Improve leadership at all levels to provide clear, consistent direction to the organisation;
  - Improve the way the Council and its partners work together to deliver better services for the people who live in York;
  - Improve efficiency and reduce waste to free-up more resources.

## Implications

9. The following implications have been considered:
  - **Financial** – The Directorate will bear the cost of this post within current resource.
  - **Human Resources (HR)** – The creation of an Appointments Committee is in line with the constitutional requirements for the recruitment and appointment of Chief Officers.
  - **Equalities** – There are no equalities implications.
  - **Legal** – The creation of an Appointments Committee is not one of the functions reserved to Full Council by law and therefore can be carried out by Urgency Committee.
  - **Crime and Disorder** – There are no crime and disorder implications.
  - **Information Technology (IT)** – There are no IT implications.
  - **Property** – There are no property implications.
  - **Other** – There are no other implications.

## Risk Management

10. There are no known risks associated with the recommendations of this report.

## Recommendations

11. Members are asked to agree:

That an Appointments Committee be created for the post of Head of Human Resources

Reason: To stabilise the current interim arrangements, to enable the Directorate to operate effectively, and to avoid any further delay.

## Contact Details

**Author:**

***Heather Rice***

***Director, People  
Improvement***

**Chief Officer Responsible for the report:**

***Heather Rice***

***and Director, People and Improvement***

Report Approved

Date 12<sup>th</sup> March 2007

## Specialist Implications Officer(s)

Legal: Suzan Hemingway, Head of Civic, Democratic & Legal Services

Human Resources: Chris Tissiman, HR Corporate Development Manager (Acting)

Finance: Patrick Looker, Finance Manager

**Wards Affected:** *List wards or tick box to indicate all*

All

For further information please contact the author of the report

## Background Papers:

None.

## Annexes

None.

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## **Urgency Committee**

Report of the Head of Human Resources

### ***Whistleblowing***

#### **Summary**

1. This report outlines proposed changes to the Council's Whistleblowing Policy, Procedure and Guidelines and seeks approval of these revisions. This matter is urgent as the Council is required to make and implement changes to its whistleblowing arrangement before the 31<sup>st</sup> March 2007. The Council's whistleblowing arrangements are critical to the Council's overall Comprehensive Performance Assessment (CPA) score due to the scoring methodology of the CPA. The 31<sup>st</sup> March 2007 is a critical date in this respect as it is the cut off date advised by the District Auditor/Audit Commission nationally for considering the Council's arrangements for the purposes of the 2007 CPA Use Of Resources (UOR) assessment. Should the amendments not be made and implemented before this date the assessment would be based on pre-review arrangements which are known to require strengthening.

#### **Background**

2. The Council has operated a Whistleblowing Policy since the inception of the Public Interest Disclosure Act 1998 (PIDA). Whilst there is no strict legal requirement to do so, it is good practice for the Council to operate a policy under which concerns covered by the PIDA can be raised.
3. As with all Council policies and procedures the Whistleblowing Policy, Procedure and associated Guidelines are regularly reviewed to ensure they are fit for purpose and to incorporate any lesson from their use. A recent such review has highlighted the need to revise the Council's whistleblowing processes to add clarity in a number of areas and to review the scope of the policy in relation to access by Elected Members.

#### **Consultation**

4. In revising the Whistleblowing processes consultation has been undertaken with the Chief Executive and Officer Governance Group. The proposed revisions also take into account recommendations made by the Audit Commission.

## Options

- Option 1 – revise the Whistleblowing Policy, Procedure and Guidelines to add clarity to the process and to continue to allow Elected Members access to the policy
- Option 2 – revise the Whistleblowing Policy, Procedure and Guidelines to add clarity to the process and to remove Elected Members' access to the policy

## Analysis

- Option 1 – revise the Whistleblowing Policy, Procedure and Guidelines to add clarity to the process and to continue to allow Elected Members access to the policy
5. The clarity added to the process involves more guidance being included in relation to the investigation of whistleblowing concerns, specifically:
- i. The automatic reporting of all concerns raised under the Whistleblowing Policy to the Chief Executive, Head of Human Resources and Head of Audit;
  - ii. More clarity regarding the undertaking of the initial enquires and who decides if a full investigation is required;
  - iii. Clarified roles and responsibilities under the policy;
  - iv. Stronger and clearer links to the Council's disciplinary procedure and, if required, Standards Committee in the case of malicious or frivolous complaints, or complaints made for personal gain.
6. In relation to the issue of allowing Elected Members access to the policy, if such access is to be retained it is proposed that the guidelines are revised to clarify that:
- i. Whistleblowing is not a means of political opposition;
  - ii. Elected Members have many opportunities to question officers, participate in decision making or review decisions made;
  - iii. Elected Members have other means of raising concerns, including the responsibilities under the Code of Conduct.
7. The PIDA does not include Elected Members as a group of people who are covered by the scope of the Act. However it is recognised that, if used properly, the Whistleblowing Policy is an important feature in detecting wrong doing and other serious failure in service and are at the top of the hierarchy of the receipt of information about problems. It is therefore desirable that Elected Members are still included as a group of people who can raise concerns under the Whistleblowing Policy, subject to revised guidelines to provide clarity regarding when and how Elected Members can raise concerns and the other options available.



Option 2 – revise the Whistleblowing Policy, Procedure and Guidelines to add clarity to the process and to remove Elected Members' access to the policy

8. It is proposed that the revisions to add clarity to the whistleblowing process are the same as above.
9. There is no legal requirement to operate a whistleblowing policy for Elected Members, nor are Elected Members covered by the PIDA. As detailed above, there are compelling reasons to continue to include Elected Members as a group of people who can raise concerns under the Whistleblowing Policy, providing that the guidelines are clear regarding when and how concerns can be raised. There are however other mechanisms available to Elected Members through the democratic process to allow them to raise concerns and as such there is less reason to afford Elected Members the opportunity to raise concerns through the Whistleblowing Policy.

### **Corporate Priorities**

10. This report and action proposed relate to the corporate priority of "Improving our organisational effectiveness".

### **Implications**

11. **Human Resources (HR)** – The HR implications are contained in the body of the report.
12. **Corporate Governance** - The corporate governance implications are contained in the body of the report.
13. **Legal** - The legal implications are contained in the body of the report.
14. There are no other identified implications relating to **finance, equalities, crime and disorder, information technology** or **property**.

### **Risk Management**

15. In compliance with the Council's risk management strategy the main risks that have been identified in this report are those which could lead to financial loss (financial), damage to the Council's image and reputation and failure to meet stakeholders' expectations (governance) and those arising from employees and their relationship with the Council (people).
16. Measured in terms of impact and likelihood, the risk score has been assessed at 12, placing the issue in the medium category. The implementation of the recommendation in this report will reduce the risk to low.
17. The management of this risk provides the Council with the opportunity to provide enhanced and effective services to all Council customers.

## Recommendations

18. It is recommended that Urgency Committee agree Option 1 – revise the Whistleblowing Policy, Procedure and Guidelines to add clarity to the process and to continue to allow Elected Members access to the policy.

Reason: The Whistleblowing Policy is an important feature in detecting wrong doing and other serious failure in service and are at the top of the hierarchy of the receipt of information about problems. It is therefore desirable that Elected Members are still included as a group of people who can raise concerns under the Whistleblowing Policy, subject to revised guidelines to provide clarity regarding when and how Elected Members can raise concerns and the other options available.

## Contact Details

### Author:

Chris Tissiman  
HR Corporate Development Manager  
(Acting)  
Human Resources  
Ext 1715

### Chief Officer Responsible for the report:

Jamie Sims  
Acting Head of Human Resources

**Report Approved**  **Date** 12<sup>th</sup> March 2007  
Jamie Sims  
Acting Head of Human Resources

## Specialist Implications Officer(s)

### *Legal*

Suzan Hemmingway, Head of Civic, Democratic and Legal Services

### *Corporate Governance*

Max Thomas, Head of Audit

**Wards Affected:** None

**All**

**For further information please contact the author of the report**

## Background Papers:

None.

## Annexes

- Annex 1 - Proposed revised Whistleblowing Policy
- Annex 2 - Proposed revised Whistleblowing Procedure
- Annex 3 - Proposed revised Whistleblowing Guidelines



**CITY OF YORK COUNCIL**

**WHISTLE-BLOWING POLICY**

**OVERVIEW**

This document sets out how the Council implements the provisions of the Public Interest Disclosure Act 1998.

## **1.0 INTRODUCTION**

- 1.1 The Public Interest Disclosure Act 1998 provides a framework to promote responsible whistleblowing by workers. This policy enables the City of York Council to comply with the provisions of the Act.
- 1.2 The Council is proud of its track record of probity and high ethical standards. However, we are not complacent and we recognise that malpractice can sometimes occur. The Council wants to encourage workers to raise any concerns they may have so that we can resolve matters, prevent risk and continue to deliver high quality services to the people of York. We recognise that workers may sometimes find it difficult to speak up due to fear of victimisation and that it can sometimes seem easier to ignore malpractice rather than report it.
- 1.3 City of York Council expects the highest standards of probity from all those who work for and with the Council. These standards are set out in the Council's Employee Code of Conduct. If you work for the Council, you have a responsibility to voice any concerns you have about malpractice so that appropriate action can be taken and we positively encourage you to do so. This policy encourages you to raise any concerns **within** the Council and protects you from victimisation for doing so.
- 1.4 The Council will not tolerate fraud or corruption in the administration of its responsibilities, whether perpetrated by Members, Officers, customers of its services, third party organisations contracting with it to provide goods and/or services, or other agencies with which it has any business dealings. If a member of staff suspects or knows of any impropriety, financial irregularity, fraud or corrupt practice, they must immediately report it.
- 1.5 If you work with vulnerable people or children you have a clear responsibility to report any abuse. Failure to do so may be considered a disciplinary offence.
- 1.6 A failure to report a money laundering offence is a criminal act in itself.
- 1.7 Members and senior management are responsible for ensuring compliance with this policy and the Council's legal obligations under the Public Interest Disclosure Act 1998. They will receive an annual report from the Head of Human Resources outlining the number and

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## WHISTLE-BLOWING POLICY

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type of any concerns raised under the policy and how these have been resolved. They will not be provided with any further details that could identify individuals and confidentiality will be fully protected.

### 2.0 **SCOPE**

2.1 All those who work for the Council, whether permanent, casual, temporary employees or contractors can raise any concerns they may have under this policy. Elected Members and school governors can also raise concerns under this policy. Separate procedures are available for complaints from members of the public. This policy will be widely communicated throughout the Council.

2.2 There are other policies and procedures available for raising issues regarding employment and service matters and this policy is not intended to replace those. Examples include:

- Complaints of harassment or bullying between staff should be raised under the Council's Bullying & Harassment procedure;
- Complaints about pay and grading should be raised under the Council's Regrading Procedure;
- Complaints about other employment matters e.g. lack of promotion or training, should be raised under the Grievance Procedure.

2.3 This policy should only be used for serious malpractice within the Council as defined in the attached guidelines. The line manager of the service will deal with issues of a minor nature.

2.4 The Council has an established procedure on 'How to Safeguard Public Money', details of which are contained in the Whistleblowing Guidelines which supplement this policy.

2.5 The Council also has an established disclosure procedure relating to money laundering, details of which are contained in the Whistleblowing Guidelines which supplement this policy.

### 3.0 **IMPLEMENTATION DATE**

3.1 This policy and associated procedures will come into effect on 26<sup>th</sup> March 2007.

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**WHISTLE-BLOWING PROCEDURE**

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**CITY OF YORK COUNCIL**

**WHISTLE-BLOWING PROCEDURE**

**OVERVIEW**

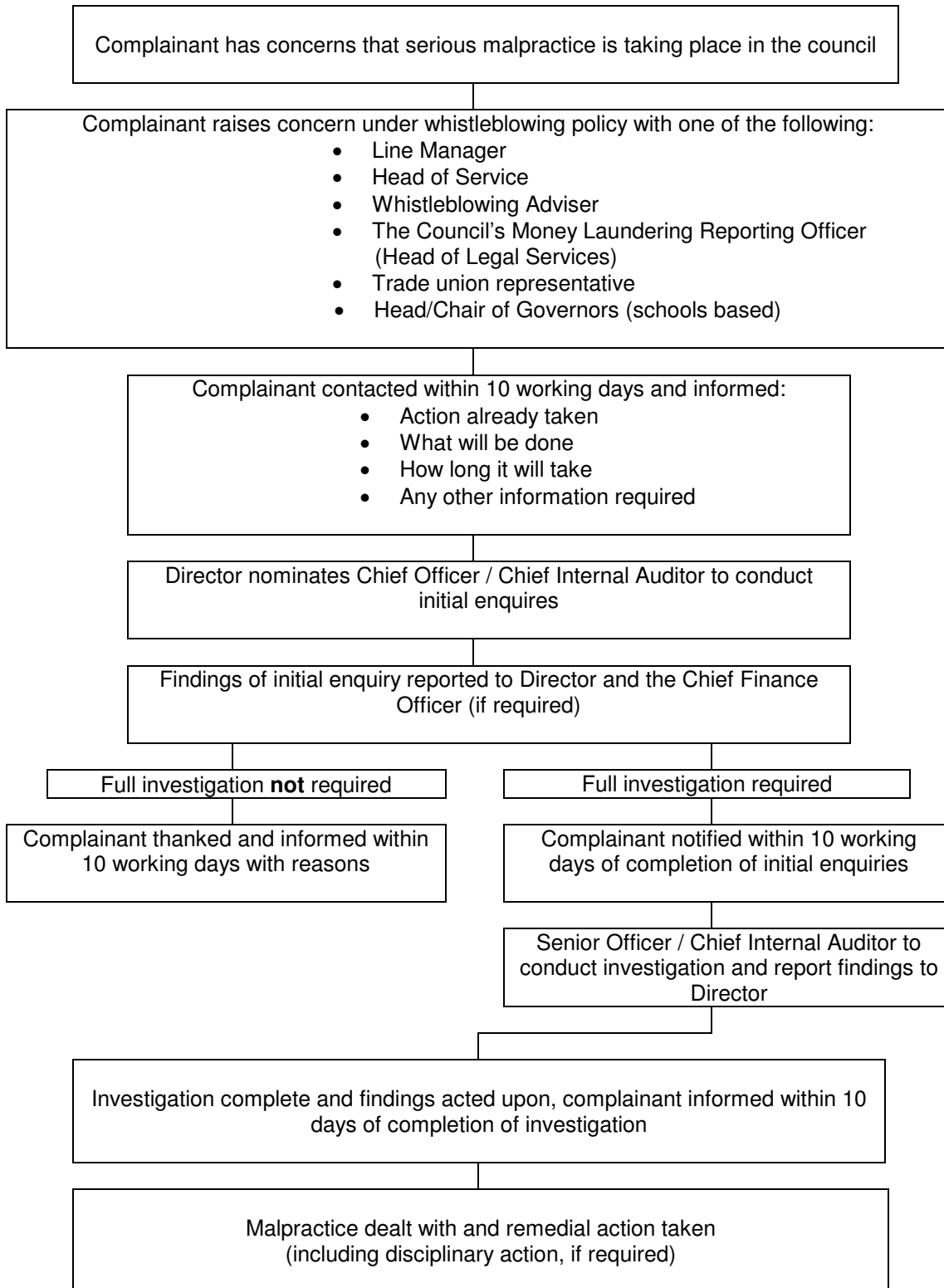
This document sets out the Council's procedure for dealing with matters raised under the Public Interest Disclosure Act 1998.

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**WHISTLE-BLOWING PROCEDURE**







**CITY OF YORK COUNCIL**

**WHISTLE-BLOWING POLICY AND  
GUIDELINES**

**OVERVIEW**

This document provides guidelines to employees and managers on how to make and deal with issues raised under the Public Interest Disclosure Act 1998.

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## WHISTLE-BLOWING GUIDELINES

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### Policy Guidelines for Employees

#### 1. What is 'whistleblowing'?

- a. Whistleblowing refers to the reporting of any serious malpractice taking place within the Council.

#### 2. What concerns can I raise under the policy?

- a. The Public Interest Disclosure Act states that you may be protected when you raise a concern for certain reasons. The following provides an indication of the concerns you can raise under this policy:

- fraud, corruption or financial irregularities,
- the physical, mental or sexual abuse of clients,
- breaches of health & safety policy and dangerous practices,
- criminal conduct,
- serious damage to the environment,
- failure to comply with a legal obligation,
- money laundering;
- miscarriage of justice.

- b. If you are unsure as to whether it is appropriate to raise a concern under this policy you can seek advice from your line manager, departmental Human Resources team, the Council's Money Laundering Reporting Officer (Head of Legal Services), trade union representative or one of the Council's designated Whistleblowing Advisers. School based staff can also seek advice from the Headteacher, Chair of Governors or a member of the school management team.

- c. The malpractice might be carried out by Council employees, contractors, consultants, elected Members or school governors.

#### 3. Will my identity be kept confidential?

- a. It is in the Council's interest that concerns are raised so we can put them right and we will protect workers who voice concern, this includes protecting the confidentiality of the worker. However, you should be aware that if a concern is to be investigated, you will be asked to provide information and your identity may have to be disclosed. If this is the case, you will be informed in advance and the Council will make



## WHISTLE-BLOWING GUIDELINES

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sure you are given support and protection. The Council will work to ensure that only those involved in the investigation are aware of your identity.

- b. The Council wants people to give their name when making an allegation so that we can check the facts and make sure the it is not merely malicious or mischievous. If you feel unable to give your name this should not stop you reporting your suspicions. Anonymous allegations will be considered but will be much more difficult to investigate. All documentation relating to the concern raised will be kept confidential and in a secure place.

#### **4. Will I be protected from victimisation?**

- a. It can be difficult for workers to raise concerns and the Council will provide support for those that do. We will not tolerate victimisation or harassment of those who raise genuine concerns and will treat these actions as a serious disciplinary offence.

#### **5. What happens if a malicious allegation is made?**

- a. If the Council believes that you made an allegation frivolously, maliciously or for personal gain you will face disciplinary action.

#### **6. What will happen if my concern is not upheld?**

- a. You may raise a genuine concern that is not upheld by an investigation. In such circumstances you will be thanked for raising your concerns. No action will be brought against you. You will continue to be protected against harassment.

#### **7. Who can I raise a concern with?**

- a. This will often depend of the nature of the allegation and how serious it is. Normally you should raise any issues with your immediate line manager. If however, you feel that the matter cannot be resolved by talking to your line manager you can speak to their line manager or your Head of Service. Schools based workers can raise concerns with their Head of Department, Headteacher or Chair of Governors. You can seek advice from your departmental Human Resources Team, the Council's Money Laundering Reporting Officer (Head of Legal Services), or trade union representative on the most appropriate way of reporting your suspicions.

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- b. If you do not feel able to contact any of these people you can talk to any one of the Council's designated Whistleblowing Advisers who are responsible for making sure that an enquiry is made in response to all concerns raised. Suzan Hemingway, Head of Civic, Democratic and Legal Services, is the lead officer in the Council for Whistleblowing and can be contacted on extension 1004.

The Council's other Whistleblowing Advisers are:

Directorate advisers:

Graham Terry, Housing and Adult Social Services ext 4004  
 Kevin Hall, Learning, Culture and Children's Services ext 4202  
 Sian Hansom, City Strategy ext 1505  
 Sarah Kirby, Neighbourhood Services ext 3109  
 Tricia Pearce, Resources, ext 2911  
 Kevin Banfield, Chief Executive's, ext 1723

Corporate advisers:

Suzan Hemingway, Head of Civic, Democratic and Legal Services, ext 1004  
 Liz Ackroyd, Assistant Director (audit & risk management), 1706  
 Max Thomas, Audit and Fraud Manager, ext 2940  
 Jamie Sims, Acting Head of Human Resources ext 1711

- c. If you have concerns about the possible misuse of public funds you should contact your line manager or the Chief Internal Auditor on 551706. Concerns regarding suspected benefit fraud should be raised with the Council's Fraud Team on 552917 or via the 24 hour Benefit Fraud Hotline on 552935. Alternatively you can e-mail [benefit.fraud@york.gov.uk](mailto:benefit.fraud@york.gov.uk)
- d. Where you know or suspect that money laundering activity is taking/has taken place, or you become concerned that your involvement in a matter may amount to a prohibited act under the legislation, you must disclose this as soon as practicable to the Council's Money Laundering Reporting Officer (MLRO). This is the Head of Legal Services. Initially, this disclosure may take the form of an informal discussion with the MLRO to clarify the suspicions. Please note, failure to report a money laundering offence is a criminal act in itself. Your disclosure should then be made to the MLRO using the proforma report which can be found in Appendix A of the Council's Anti-Money Laundering Guidance Note.

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## WHISTLE-BLOWING GUIDELINES

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- e. The Council recognises that you may wish to seek advice and be represented by your Trade Union when using this policy. The Council acknowledges and endorses the role trade union officers can play in helping to identify concerns and alert management of these.

### **8. What if I am an Elected Member?**

- a. Whistleblowing is not a means of political opposition because it involves officers in the investigation process and provides people who raise concerns with protection including, where possible, anonymity.
- b. Elected Members have many opportunities to question officers, participate in decision making or review decisions made. Elected Members are encouraged to use the substantial opportunities available to them through the democratic process to engage and consider decisions or call in decisions to be looked at in the overview and scrutiny process. In addition Elected Members have other means of raising concerns, including the responsibilities under the Code of Conduct.
- c. The Head of Civic, Democratic and Legal Services is available to advise Elected Members on the options open to them to raise a matter or concern.
- d. If you are an Elected Members who wishes to raise concerns under this policy, you should contact the Monitoring Officer (the Head of Civic, Democratic and Legal Services or the Chief Executive. If a worker raises a concern with an Elected Member, the Elected Member should refer the worker to the procedure as outlined in paragraph 7 a-e.
- e. Concerns raised by Elected Members under this policy will be subject to the same process as other concerns, as detailed below.

### **9. What if I am a school Governor?**

- a. School Governors who wish to raise concerns under this policy should contact a designated Whistleblowing Adviser, the Director of Learning, Culture and Children's Services or the Chief Executive.

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## WHISTLE-BLOWING GUIDELINES

### 10. What information should I give when raising a concern?

- a. You should make it clear that you are raising your concern under the Whistleblowing Policy. You should let us know your concerns as early as possible and provide as much factual information as you can. This should include names, dates, places, history and why you are concerned. You should also provide your name and contact number if you feel able to do so. You can provide this information in writing and you are encouraged to do so using the Council's Whistleblowing Report Form, if you wish but this is not necessary.
- b. If you are reporting money laundering or suspected money laundering you should complete the proforma report which can be found in Appendix A of the Council's Anti-Money Laundering Guidance Note, in as much detail as possible.
- c. You will receive a written acknowledgement of your concern within 10 days of raising the concern.

### 11. What are the roles and responsibilities of those involved?

- a. The following people will fulfil the roles and responsibilities described:

Complainant	The complainant is the person who has raised the concern under the Whistleblowing Policy
Whistleblowing Advisers	Whistleblowing Advisers are Council employees who are responsible for receiving reports of suspected malpractice or wrongdoing, and for ensuring that the appropriate officers are informed. The Whistleblowing Adviser will inform the relevant Director (unless the Director concerned is potentially implicated), the Head of Human Resources and the Chief Internal Auditor (where the concern relates to a financial matter) that a report has been received. If the relevant Director is potentially implicated, the Adviser will inform the Chief Executive.
The Council's Money Laundering Reporting Officer (MLRO)	This is the Head of Legal Services. The MLRO will determine the most appropriate course of action in accordance with the Council's Money Laundering guidance, but is responsible for reporting all suspected money laundering activities to the Serious Organised Crime Agency (SOCA).

## WHISTLE-BLOWING GUIDELINES

Director	<p>The relevant Director is the Director of the service area to which the concern relates. The Director is responsible for determining the scope and objectives of the initial enquiries, for nominating a Chief Officer or the Chief Internal Auditor to undertake the initial enquiries and for informing the Chief Executive that a concern has been raised. The Director is also responsible for deciding, based on the findings of the initial inquiries, if a full investigation is required. If a full investigation is required, the Director is responsible for nominating a Senior Officer / the Chief Internal Auditor to undertake the investigation, for overseeing the investigation and deciding what action to take upon completion of the investigation. Where the concern relates to possible fraud, corruption or financial irregularities then the investigating officer will normally be the Chief Internal Auditor. Where the investigation relates to a financial matter then any decision by the Director will be taken in consultation with the CFO.</p> <p>If the relevant Director is potentially implicated in the matter this role will be undertaken by the Chief Executive, or another Director nominated by the Chief Executive.</p>
Chief Officer	<p>With the exception of suspected fraud, corruption or financial irregularities, the Chief Officer is the person who will undertake any initial enquiries into the concern which has been reported and for completing this work in a timely manner.. The Chief Officer will be nominated by the relevant Director i.e. the Director of the area to which the concern relates.</p>
Chief Internal Auditor (CIA)	<p>This is the Assistant Director (Resources) – Audit and Risk Management. The CIA is responsible for conducting any initial enquiries into suspected financial irregularities, fraud or corrupt practice. In accordance with Financial Regulations, the CIA will report his/her initial findings to the Council's Chief Finance Officer (CFO) and the Chief Executive. The CIA may also be required to conduct any subsequent investigation (where the matter is of a financial nature).</p>
Chief Finance Officer (CFO)	<p>This is the Director of Resources. The rights and responsibilities of the CFO are set out in the Council's Constitution and Financial Regulations. Where a whistleblowing concern is found to relate to a breach of the Council's Financial Regulations then the CFO may require specific remedial action is taken in accordance with the sanctions and remedies set out in the Regulations.</p>
Senior Officer	<p>The Senior Officer is the nominated person who will undertake the full investigation into the concern, if one is required. The Senior Officer will report his/her findings to the Director.</p>

**12. What is the procedure for investigating a concern?**

Stage 1 – Initial enquiries

- a. Initial enquiries will be made by a Chief Officer, who will be nominated by your Director (unless that Director is potentially implicated in the matter) or the Chief Internal Auditor (where the concern relates to possible fraud, corruption or other financial irregularities). If the relevant Director is potentially implicated in the matter the initial enquiries will be undertaken by the Chief Executive, or another Director nominated by the Chief Executive. The purpose of the initial enquiry is to determine whether an investigation is appropriate and, if so, what form it should take. The Director will notify the Head of Human Resources, the Chief Internal Auditor and the Chief Executive that they have been notified of a concern and that they will be making initial enquires.
- b. As part of the initial enquiries the Chief Officer or Chief Internal Auditor will determine whether the concern raised falls within the scope of the Whistleblowing Policy.
- c. The Chief Officer or Chief Internal Auditor will write to you within 10 working days of receiving the reported concern, thanking you for raising the concern, and informing you of;
  - what action has already been taken
  - what we intend to do next
  - how long we think this will take
  - whether any more information is required from you.
- d. Once the initial enquiries are complete the Chief Officer or Chief Internal Auditor will prepare a report setting out their findings and recommendations. The report will be sent to the Director and the Chief Finance Officer (where the matter is of a financial nature). The Director will decide what further action to take. Where the matter relates to suspected fraud, corruption or other financial irregularities then any decision will be taken in consultation with the Chief Finance Officer.
- e. Some concerns may be resolved without the need for full investigation, for example, if the issue has already been investigated in the past with a successful resolution. We will contact you and inform you if the matter is not to be further investigated and why.





## WHISTLE-BLOWING GUIDELINES

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- f. Any decision to take further action will depend on the nature of the concern which has been raised. The concern raised may:
- be investigated internally (the most likely option);
  - be referred to the Police or other appropriate agencies e.g. criminal acts;
  - be referred to the external auditor;
  - form the subject of an independent inquiry;
  - or be subject to any combination of the above.

### Stage 2 – Full Investigation

- g. If the concern is to be investigated internally, the investigation will be lead by a Senior Officer. Where the concern relates to possible fraud, corruption or financial irregularities then the investigating officer will normally be the Chief Internal Auditor. The Senior Officer or Chief Internal Auditor will report to the Director and the Chief Finance Officer (where the matter being investigated is of a financial nature). If the matter concerns a senior officer, both the initial enquiry and any investigation will normally be lead by a Director from a different department. If the matter concerns the Chief Executive, the Leader of the Council will be responsible for ensuring the matter is investigated.
- h. If we need to meet you, the Senior Officer or Chief Internal Auditor will contact you to see how we can do this whilst maintaining confidentiality. If you are required to give evidence to an investigation we will provide you with appropriate advice and support. You may bring along a trade union representative or friend to any meetings it is necessary for you to attend. Your departmental Human Resources Team will advise you on how you can be supported throughout the process.

### Outcome

- i. Providing that there are no legal constraints, we will let you know the outcome of the investigation so that you can see the matter has been properly addressed. This will be done in writing within 10 days of the investigation being completed. We will, of course, respect confidentiality in doing so.
- j. One possible outcome of a full investigation is that the Council needs to use its disciplinary procedure to take action. Where this is the case

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## WHISTLE-BLOWING GUIDELINES

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you will be informed if you are required to take part in the process and what this will involve.

### 13. How long will the initial enquiries and, if required, a full investigation, take?

- a. It depends on the nature of the concern and the complexity of the investigation how long it will take to undertake the initial enquiries and, if required, a full investigation. However the Council will treat your concern as a priority and will act as quickly as possible.
- b. You will be informed of the outcome of the initial enquiries in writing within ten days of the completion of the enquiries.
- c. If a full investigation takes place, providing that there are no legal constraints, you will be informed of the outcome of the investigation in writing within ten days of the completion of the investigation.

### 14. Can I raise my concern with an external body?

- a. This policy encourages you to disclose concerns **within** the Council. External disclosures to other bodies should only be made in exceptional circumstances, for example, if you have already raised your concern and no action has been taken or there has been a cover up or if you reasonably believe your allegation will not be properly investigated. You are encouraged to seek advice, e.g. from your trade union representative, before making an external disclosure.
- b. In such circumstances workers can make disclosures to the following contact points:
  - Trade Union
  - District Auditor
  - The Police
  - Public Concern at Work
  - Health & Safety Executive



## WHISTLE-BLOWING GUIDELINES

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- c. Employees and workers of the Council have a duty not to undertake any actions that may bring the Council in to disrepute (see Employee Code of Conduct). If you do decide to report your concerns outside the Council, you must ensure you have very good reason for doing so as outlined above and you must not disclose confidential information. Workers should raise concerns with the external bodies above and not with others, such as the press.

## **Guidelines for Managers/Whistleblowing Advisers**

### **Summary**

1. These guidelines provide information for managers and Whistleblowing Advisers on how to respond if a concern is raised with you under the Council's Whistleblowing Policy. At all stages you should seek advice from your own line manager/Director and Human Resources.

### **Procedure**

2. Managers and Whistleblowing Advisers who receive a concern raised under the policy should immediately inform their Director (and the Director of the Complainant if this is a different person), the Head of Human Resources, and the Chief Internal Auditor (where the matter being raised is of a financial nature). The Director of the complainant will be responsible for informing the Chief Executive that a concern has been raised.
3. Within 10 working days of the concern being raised, the Director or Chief Internal Auditor should write to the whistleblower acknowledging their concern, and outlining:
  - what action has already been taken
  - what happens next
  - how long they think this will take
  - whether any more information is required.
4. If the concern relates to money laundering, the matter should be passed to the Council's Money Laundering Reporting Officer (Head of Legal Services).

### **Stage 1 – Initial Enquiries**

5. Initial enquiries will be made by a Chief Officer, who will be nominated by the relevant Director (unless that Director is potentially implicated in the matter) or the Chief Internal Auditor (where the concern relates to possible fraud, corruption or other financial irregularities). If the relevant Director is potentially implicated in the matter the initial enquiries will be undertaken by the Chief Executive, or another Director nominated by the Chief Executive. The purpose of the initial enquiry is to determine whether an investigation is appropriate and, if so, what



## WHISTLE-BLOWING GUIDELINES

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form it should take. The Director will notify the Head of Human Resources, the Chief Internal Auditor and the Chief Executive that they have been notified of a concern and that they have commissioned initial enquires.

6. As part of the initial enquiries the Chief Officer or Chief Internal Auditor will determine whether the concern raised falls within the scope of the Whistleblowing Policy.
7. Once the initial enquiries are complete the Chief Officer or Chief Internal Auditor will prepare a report setting out their findings and recommendations. The report will be sent to the Director and the Chief Finance Officer (where the matter is of a financial nature). The Director will decide what further action to take. Where the matter relates to suspected fraud, corruption or other financial irregularities then any decision will be taken in consultation with the Chief Finance Officer.
8. The Director will write to the person who raised the concern within 10 working days of the completion of the initial enquiries informing them of:
  - what action has already been taken
  - what the Council intends to do next
  - how long this will take
  - whether any more information is required.
9. Some concerns may be resolved without the need for full investigation, for example, if the issue has already been investigated in the past with a successful resolution. Where this is the case the person who raised the concern will be contacted and informed that the matter is not to be further investigated and why.
10. Any decision to take further action will depend on the nature of the concern which has been raised. The concern raised may:
  - be investigated internally (the most likely option);
  - be referred to the Police or other appropriate agencies e.g. criminal acts;
  - be referred to the external auditor;
  - form the subject of an independent inquiry;
  - or be subject to any combination of the above.

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11. If the Director has cause to believe that the Complainant raised a frivolous or malicious allegation, or raised the concern for personal gain, they will take the appropriate action under the Council's disciplinary procedure, or in the case of Elected Members, report the matter to Standards Committee.

### Stage 2 – Full Investigation

12. If the concern is to be investigated internally, the investigation will be lead by a Senior Officer. Where the concern relates to possible fraud, corruption or financial irregularities then the investigating officer will normally be the Chief Internal Auditor. The Senior Officer or Chief Internal Auditor will report to the Director and the Chief Finance Officer (where the matter being investigated is of a financial nature). If the matter concerns a senior officer, both the initial enquiry and any investigation will normally be lead by a Director from a different department. If the matter concerns the Chief Executive, the Leader of the Council will be responsible for ensuring the matter is investigated.

### Outcome

13. Providing that there are no legal constraints, the person who raised the concern will be advised of the outcome of the investigation. This should be done within 10 days of the completion of the investigation.
14. If the outcome of the full investigation is invoking of the Council's disciplinary procedure to take action, the person who raised the concern will be advised that they are required to take part in the process and what this will involve.
15. All documentation relating to the concern raised (e.g. witness statements) must be stored in a secure place and kept confidential.